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JOHN BURGWIN
From the Painting by John S. Copley, 1783

John Burgwin, *Carolinian*
John Jones, *Virginian*

Their Ancestors and
Descendants

BY

Walter Burgwyn Jones
of Montgomery, Alabama

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Preface

The accompanying brief sketch of my ancestors and kindred is an effort to preserve, for present and future family use, in convenient form, such facts and data as could be ascertained with the limited time and means at the writer's disposal. None realizes more keenly than he the many imperfections of the book.

As the sketch is not intended for the public no explanation need be addressed to them. To those interested he might give many reasons in favor of the preservation of family histories and genealogies, but it will suffice to mention only a few of them.

Veneration of honorable ancestry is a just instinct and wonderfully ennobling in its influences. An affectionate regard for the memory of those who have gone before is most natural and cannot justly yield anything to the animadversion of the cynic.

It is also true that there are many today, descendants of honorable and interesting families, who find the virtues and character of utter strangers far more interesting than those of their own kindred. They seemingly little realize that a study of their forbears' useful and honorable careers would inspire them with far more self-respect and create in them a stronger desire to emulate the virtues of their worthy progenitors than would the study of lives of others with different blood.

The writer desires here to express his deep appreciation of the many kindnesses extended by all who have aided him. Especially is he grateful to his cousins, Mrs. James C. Marshall, Mrs. Margaret C. D. Burgwyn, Mr. George Pollok Burgwyn and Mr. Junius Moore Riggs, to his aunt, Mrs. Mary

Virginia Gesner, and to his father, Thomas Goode Jones, for their generous assistance in furnishing him much valuable and useful information.

If some "weak and faltering kinsman shall find, in the examples of honorable fidelity to duty recorded in these pages, inspiration to new courage and higher endeavor" the writer will feel generously repaid for his labors.

Walter B. Jones

The Burgwins

(5)

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“Nor can I consent to close until I have invoked the Divine blessing upon us and our posterity, that we may, by a noble Christian rectitude of walk and conversation, preserve the family escutcheon as unsullied as when it was committed to us by our sires. It is happily not necessary that we should distinguish ourselves in order to fulfill the Divine purpose of our existence. He is greatest who lives most in harmony with the will of his Creator. There is indeed a royal knighthood before whose lists the roll of Battle Abbey pales into lusterless obscurity; a Prince whose shoes the proudest knight of King Arthur’s mystic circle was not worthy to unlatch; upon whose imperial standard are emblazoned the issues of eternal life and eternal death. May you have the grace and the courage, and the wisdom to take upon your young manhood the vows of this royal order; and when the great tournament of life is over, and the seraphic herald proclaims the victor’s lists, may you be there, to receive at the hands of your Prince the meed of everlasting glory.”

—*From L. H. Jones’ Family History.*

THE BURGWINS



AT THE close of the year 1750, (1) John Burgwin, (formerly Ap Gwyn, b. 1682 d. 1751) a wealthy land owner and widower, and the only survivor of the ancient and honorable family of Gwyn (Gwin), lived with his two sons in South Wales, England.

(3) John Burgwin, younger son and first progenitor of the Burgwin Family in America, was born at Hereford, England, Feb. 25, 1731. (2) James, his elder brother, upon the death of their father inherited the large family estates, rent rolls, etc. "He had too long been accustomed to the solitude of an isolated castle and to intercourse with but very few of their remote neighbors, to desire a share in the literary tastes of their father. He was a most selfish and eccentric man. He disliked Americans so that to his mind American and Traitor were synonymous terms—disaffection in America had just begun to show itself. Averse to literature, without social feeling, it is no wonder that he shunned the society of ladies. He smoked his pipe, read the newspapers, conversed freely with his steward and game keeper, and mechanically took his seat in the family pew in the old church at Merioneth.

"John's character was of a far more interesting nature. He was warm-hearted, intelligent, sincere and generous. His highly cultivated mind and love of literature had carried him through his several grades at Cambridge and Eton with honors, and his career at Oxford had nearly terminated when his father's summons and death produced a change as to his future course.

"Shortly before death, John's father advised him to emigrate to America and there seek to improve his slender means by industry and energy and strive to attain an honorable Independence. He left his son a packet of letters directed to particular friends—gentlemen of influence, respectability and wealth then residing in the Colonies—commending his son to their kind

consideration. One letter was addressed to Mr. George Inglis, of Charleston, S. Carolina, a native of Scotland and related to to the ancient clan of that name. (1) Burgwin recommended his son to cultivate an acquaintance with Mr. Inglis and to be governed by his advice.

“When the brothers separated, (2) James shaking hands with John observed: ‘John, make your fortune and return. But if you marry an American, neither yourself nor your family shall possess a single shilling from me.’ The old grey-haired butler and Gwynette, his foster-mother, wept as they bade him farewell, and urged him to return soon ere death had sealed their eyes.” (Mrs. Eliza I. Clitherall’s Diary, Book I).

After a voyage of seven weeks (3) John Burgwin arrived in Charleston, S. C., and the letters of introduction were delivered to their several addresses, but that to Mr. Inglis was presented first. He gave his dead friend’s son a cordial welcome and through his influence Burgwin was received into the office of the most respectable firm of Hooper, Alexander & Co., with a salary far beyond his expectations.

“Mr. Burgwin called at Mr. Inglis’ the evening of the agreement and informed him of his acceptance of the position. ‘Your father,’ observed Mr. Inglis, ‘was an old and dear friend of mine and I rejoice in the opportunity to serve his son. This letter, Sir, (pointing to one laying open upon the table) bears strong testimony to your merit. Your determination to obtain Independence through your own efforts is evidence you possess those great qualities essential to its attainment—decision, energy and perseverance. A stranger in a strange land, you will find many difficulties to surmount, many calls for self-control, many a steep hill strewn with thorns to climb ere you reach the goal of your ambition, and many an *ignis fatuus* to lure you from the firm, strait path of rectitude. But, my young friend, bear Integrity for your shield, Prudence for your staff, and Perseverance for your motto, with your eyes constantly raised to that great Being from whom alone your strength can be derived or your efforts blest. I shall receive pleasure in introducing you to my friends, and, as we are now in social intercourse, let

me advise you not to be hasty in forming intimacies. There are in every place characters ready, and seeking, to lead astray the unsuspecting and unwary youth. By the associates you form your own character will rise or fall. Shun, oh shun! the infidel and the gambler; however specious their pretensions, avoid such persons. Let us now adjourn to the drawing room and I will introduce you to my daughters, Eliza, by a former marriage, and Mary, by my last marriage. Both are motherless.' The evening passed pleasantly and Mr. Inglis expressed to Mr. Burgwin his desire that he should visit them without ceremony; that he claimed him on Sundays and at those times he could spare from business or recreation." (ID.)

"Mr. Inglis was a rare specimen of polished address, literary refinement and Christian attraction. Possessed of an independent fortune, his house was the abode of elegance, taste and hospitality. All who had heard of him respected, and all who knew loved him. His daughter Eliza (mother of Dr. George Clitherall) had received every advantage that money could procure or the best society perfect. Her vigorous intellect had nurtured and matured every mental acquirement and at this period she was betrothed to Mr. Thos. Loughton Smith." (ID.)

Some time after the period referred to, (3) Burgwin was sent by his employers upon business to Wilmington, N. C. There he became acquainted with Miss Margaret Haynes, daughter of the wealthy planter and merchant Roger Haynes, Esquire, formerly of London and Lisbon. Her mother was the only daughter and heiress of the Rev. Richard Marsden, the first and for several years rector of St. James' Parish. He was the Episcopal clergyman to settle on the Cape Fear (N. C.) River, first owner from the original Lords Proprietors of the two plantations later known as the HERMITAGE and CASTLE HAYNES, and prior to his coming to America was chaplain to the Duke of Portland, then the Governor of the Island of Jamaica.

A mutual interchange of sentiment producing an engagement between Mr. Burgwin and Miss Margaret Haynes, Burgwin later removed to Wilmington, and having obtained the sanc-

tion of her parents, he was united in marriage to Miss Haynes on February 15, 1753. Mrs. Burgwin lived but a few years and died October 19, 1770, without issue and was buried at CASTLE HAYNES, the splendid mansion erected by her father upon a tract of land about eight miles north of Wilmington.

Mary Haynes, sister of Mrs. Burgwin, married in 1762 General Hugh Waddell, (b. Ireand 1734; d. Apl. 9, 1773) a devout churchman and the founder of a long line of devoted churchmen and useful and honorable citizens. He was a member of the firm of John Burgwin & Co., opulent merchants who carried on a lucrative trade between Wilmington and London, Eng. "He won laurels when barely of age in the campaign in which Washington gained his first military experience, being promoted from lieutenant to captain. As Major he marched with Gen. Forbes to Ft. Duquesne. In the next year, 1759, we find him protecting the North Carolina frontiers against the Indians by building forts and fighting when needed. In 1765 he joined with John Ashe in leading forcible resistance to the enforcement of the Stamp Act. Gen. Waddell was interested in civil as well as military affairs, serving as a member of the Assembly from Rowan and Bladen. He settled on Cape Fear River at Rocky Point, on a plantation then and now called CASTLE HAYNES. Having great military talents and experience, being of indomitable pluck and energy, possessed of large wealth and big brain, commanding manners and an impetus zeal for liberty, he seemed destined to stand high on the roll of the great generals who justified the confidence reposed in them by Washington. He was cut off by disease two years before blood flowed at Lexington and Concord." (Kemp P. Battle in DeRossette's 'Church History').

After Mrs. Burgwin's death CASTLE HAYNES was closed and Mr. Burgwin continued improvements upon the other tract, east of CASTLE HAYNES and across the county road. The small building then standing formed a wing of the new mansion-house to which Burgwin, comparing his solitary life to that of a recluse, gave the name of the HERMITAGE. "It was beautifully located and presented a very imposing appearance being one hundred and twenty feet long. The north faced a sloping



(From a Sketch by Eliza I. Clitherall)

lawn extending about one hundred and fifty yards to Prince George's Creek, and the south front faced a large flower garden, from which extended a broad avenue about half a mile long, with a double row of elms on each side, continued by a carriage way of more than a mile in length, under ditch and banks, through the pines, until it entered the county road leading to Wilmington. * * * The house contained seventeen rooms with a large, well ventilated cellarage extending under the whole. The building was of the most substantial character. Instead of weather-boarding the two wings were sided with cypress shingles, which, after the lapse of more than a hundred years, were as sound and solid as when first nailed on. It is stated that they were made under contract by Col. Saml. Ashe, then a young man and subsequently of Revolutionary fame. The framing timbers were very large and solid, and being of heart pitch pine, stood for many hours after the sides and roof had burned away, at the fire which destroyed it in 1881, presenting a very striking appearance as they stood in relief against the sky, erect and in place, a mass of blaze and heat." (Jas. G. Burr, Am. Mag. of Hist. Vol. XVI p. 435) "The workmen, Mr. Burgwin's own property, were directed by an English architect. Alcoves, bowers, a hot-house and fish-pond adorned the three acres laid off for pleasure grounds. A large vegetable, or as it was denominated Cook's Garden, yielded plentifully for the table. The HERMITAGE became a retreat for the weary merchant on the 'day of rest.' (Alas! How perverted.) The tired traveller found no lock on the great gate which led to the large house. The Master had 'freely received' and freely did he give. A shed room connected with the south wing was especially for, and so named, the *Traveller's Room*. The urbanity of Mr. Burgwin's manner, the liberality of his habits, his general information and cheerful disposition could not fail of attracting both daily and often weekly guests. The gardens were large and laid off in English style with a creek winding through the largest and upon its banks grew native shrubbery. A fish pond communicating with the creek produced an abundance of fish. * * * Upon a mound of considerable height was erected a brick room containing shelves and a large number of books, chairs and

table. This was called the *Family Chapel*, for in those days there was no regular worship in Wilmington and my Father was of opinion that family worship was a duty, and a building thus consecrated and used only for that purpose would stamp upon the performance a greater reverence." (Mrs. Clitherall's Diary) Upon the notes issued in 1815 by the Bank of Cape Fear was engraved a picture of the HERMITAGE in vignette.

The HERMITAGE was the last survivor of the old time country mansions of Cape Fear, and the plantation was the only one in the state which had been owned by one family and occupied by them from the time of its original grant by the royal patentees two hundred years ago down to the present day. The furniture was of massive mahogany imported from England. During the war between the States the mansion was occupied by Federal Troops and greatly desecrated. The splendid furniture was broken up or given to negroes and all of the books, family records, etc. destroyed. A large and valuable oil painting, set in a panel over the mantel-piece in the drawing room, was picked to pieces by the soldiers in search of treasure with their baynotes.

"The history of that picture presents the character of Mr. Burgwin in such an admirable light that it well deserves to be recorded. On his return to America, after the close of the Revolutionary War, he found himself greatly embarrassed by the debts which he owed in England, incurred before the war, while a great part of those due him in America could not be collected, owing to insolvencies and the Statute of Limitations and other obstacles interposed by his debtors. His English debts were barred by law, and wholly uncollectible as his creditors well knew. Yet, notwithstanding his great losses on this side, which nearly sacrificed his whole estate, such was his high sense of honor and indomitable energy that he did not rest until he paid off every dollar he owed, although the struggle continued through one half of his remaining years. It was to mark their appreciation of his honorable conduct that the merchants of the celebrated 'Lloyd's Coffee House' had the picture painted and sent to him.

"It represented a forest scene, a dark thunder storm arising in the distance, and in the foreground two horses drawing a

heavy load—straining every muscle in their effort to get it in before the storm should be upon them. It was greatly admired by connoisseurs, but its beauties were lost on the vandals who destroyed it, their sordid natures not being capable of seeing in a beautiful work of art anything but a supposed place of concealment for hidden treasure. Its loss has naturally been greatly deplored by the surviving members of the family, for they felt a just pride in possessing such a souvenir of their ancestor, reflecting so much honor upon him. The subject of the picture was happily chosen, symbolizing, as it did, the herculean efforts of Mr. Burgwin to relieve himself of embarrassments when surrounded by the dark clouds of adversity.” (J. G. Burr, *Am. Mag. Hist.* Nov. 1886 p. 436).

Many references to (3) John Burgwin will be found in the Colonial Records of North Carolina. On Apl. 30, 1762 the Council ordered that a new commission of the peace and dedimus issue for the County of Bladen and that Hugh Waddell (Burgwin's brother-in-law) and John Burgwin be added thereto. (7 Colonial Records 762) The same order was entered in March, 1764. On Feb. 28, 1769 we find Burgwin sitting as a Magistrate with a court of magistrates and free-holders on the trial of a slave named Quanimos for robbing sundry persons. The slave was found guilty and hanged the next day, his head being affixed to the Point near Wilmington. It would appear that Burgwin served as Magistrate for many years. In June 1768 he was appointed Clerk of the Superior Court of Justices for the District of Wilmington by Chief Justice Martin Howard. By an act approved Dec. 5, 1768, his splendid talents as a painstaking and accomplished accountant were recognized and he was appointed to examine and state the accounts of the Province from the year 1748. This was indeed a splendid tribute to his high integrity and wonderful abilities. In 1759 he was serving as Road Commissioner for the White Marsh District. In 1755 he was serving as Quartermaster in Capt. McKenzie's Troop in New Hanover County and later was recommended as “the properest person to be promoted to Cornet.” On June 30, 1760 he was appointed Clerk of the Upper House of the Assembly and in Nov. 1762, we find him serving as Private Secretary to Gov.

Dobbs. Gov. Tryon appointed him Register of the Court of Chancery in May, 1769 and the next day appointed him Master of the High Court of Chancery. On Dec. 4, 1773, he was elected and returned to the Assembly as a Representative from the County of Bladen. He served as Clerk of the Upper House for ten years and when his connection was severed the House resolved "that during ten years service as Clerk of this House the said John Burgwin hath ever acted with the strictest Integrity and Honour and hath discharged all the duties of that office with skill and ability."

"A citizen of Wilmington, conspicuous for attachment to church principles and for faithfulness in his civil duties was John Burgwin. * * * He was Clerk of the Council and Public Treasurer under Dobbs and Tryon, and had their full confidence. He was noted for strict business principles and talents as an accountant, his reputation in this regard extending even into the remotest regions where the Regulators nourished their hatred of fee bills and taxes." (Kemp P. Battle in "Church History of N. C." 140).

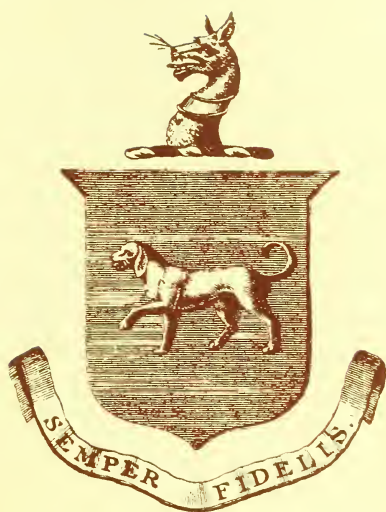
While playing a game of Blind Man's Buff, at a party given by Mr. Burgwin at the HERMITAGE, on Jan. 8, 1775, he fell and received a dangerous fracture of the leg. "He languished in this position for five months without any appearance of cure, and at last by a surgeon of the first Eminence was advised to change this climate as soon as possible for that of England otherwise his life would be in danger." (C. R. N. C.). The war between the Colonies and Great Britain was now in progress, and Mr. Burgwin having taken the oath of citizenship, arranged his affairs in Carolina, leased CASTLE HAYNES, the HERMITAGE and MARSH CASTLE and departed for England where his monied property was secured. Burgwin, at this time, stood between Scylla and Charybdis. His English parentage and connections condemned him as British, and perhaps was one of the causes of the confiscation of his estates. However, the British troops regarded him as lawful game, plundered the HERMITAGE, fired MARSH CASTLE and carried off many of his slaves. Having taken the oath of citizenship before the War broke out, he maintained a neutral position.

After his marriage in England Mr. Burgwin returned to America. From MARSH CASTLE, an estate he owned on Lake Waccamaw, under date of Aug. 5, 1780, he writes Gov. Nash asking that Lady Mercer and children, who had been at his house since May and who were anxious to join their husband and father (late Purveyor General at Charleston), be permitted to Pass to George Town. Burgwin states that as "it will be loansome for the ladies to go by themselves through the woods" he will send his clerk with them and lend them horses, chaise and a servant.

The Council of State at Kingston on Oct. 27, 1778 granted Burgwin, who had just arrived at Wilmington from New York, a parole. On Jan. 23, 1779, a joint committee of both houses of the Legislature appointed to receive and hear the petitions of persons desiring to be admitted to citizenship in North Carolina reported that they found the facts stated in Burgwin's petition for citizenship to be true and that while in England "upon hearing of the confiscation Act, notwithstanding his then infirm state of health, he embarked for New York, where he arrived and received passport from Congress to this State. The many public services that gentleman formerly rendered this country and his ready compliance with its laws gives us no room to doubt his attachment to its interests. We therefore *unanimously* recommend him to be received as a citizen and that his property be restored to him." Later, it being found that his property had been illegally and without justification confiscated, and probably at the instance of business competitors, it was restored to him. (Col. Rec. N. C. 13:650-51, 734. 16:248) In Vol. 9 of the Colonial Records of North Carolina at pages 1109-11 will be found Burgwin's correspondence with the Safety Committee concerning the amount of gun-powder he had on hand in 1775 when the War broke out.

While in England Mr. Burgwin met and married Miss Eliza Bush, dau. of George Bush and Elizabeth (Moore) Bush and a grand-daughter of Paul Moore (b. 1673) of England. Mr. Bush lived at ASHLEY BARN near Bristol, Eng., and his daughter, Eliza, was born Feb. 15, 1753, and by a strange coincidence on the same day and to the very hour of Mr. Burg-

win's first marriage to Margaret Haynes. The Bush home was of "freestone, plain and spacious. Its elegant simplicity corresponded with the mien and character of its owners, who were of that pure, respectable, and consistent denomination called Quakers. Few, if any, were more loved and respected than this family. From their door the needy suppliant never returned unsatisfied. The poor sick traveller was pitied and relieved; the vagrant admonished, the widow or fatherless never sued in vain; they were warm'd—they were cloth'd, they were fed. Mercy received and Truth bade them welcome. Nor had this long and ancient family descent one stain to sully the lustre of its Christian escutcheon. A cherished circle of four daughters and two sons surrounded the family hearthstone. Love and Harmony presided, and the happiness of each reflected the smiles of those around. They had never at the church altar vowed to *renounce*, but they evidenced by their lives that they *rejected* the 'poms and vanities' of this world. Neither pride nor avarice held communication with their wealth; bountifully had God blessed their stores and freely did they dispense from their abundance to the needy. Early hours were a part of the family system and the spare time which too many young ladies devote to dress and novels was by Mrs. Bush and daughters appropriated to visit to the cottagers around, sewing for the little motherless children and ministering to the sick. Priscilla Bush (sister of Eliza) was a kind, affectionate and sacrificing woman, devotedly attached to her sister. They were twins in heart, though differing in appearance, but Eliza was the universal favorite. She possessed all the amiable qualities of Priscilla. Whilst the latter won, the former commanded admiration. Native dignity, ease, suavity, a winning address, and elegance of manner secured the esteem at first inspired. In her character was a tincture of romance, but it was as a swift passing cloud over the picture we portray. Her heart was a well spring of tenderness—benevolent from principle—not in high sounding donations upon a subscription list, resembling the torrent's rush, but flowing as the gentle stream refreshing in its course and reviving the drooping, suffering child of poverty. Severe only in self judgment,



BURGWIN'S COAT OF ARMS

she threw the veil of pity over the failings of others. Even those who were conscious of deserved condemnation felt assured that upon them, unless duty or justice dictated, censure from her would not be expressed. Her heart's monitor led her often to repeat: 'Lord, what would I be but for Thy grace?' Her habitual practice of virtue evidenced her abhorrence of vice. Warm and sincere in her professions, those whom she received to her heart she loved to distinguish. As a Christian she was consistent, as a daughter she united with her sister in watching every opportunity to comfort, to assist and to cherish her aged parents, to meet their wish, to follow their precept. Having a natural taste for reading and gifted with a retentive memory, she had made the best authors her close study, and by this practice was preparing her mind for the reception of such knowledge as the future vicissitudes of life might call forth. The utmost efforts of a heart over-flowing with filial love fail in this feeble attempt to eulogize the lovely mother. Alas! It is only from the recital of those who knew her well and knew her long and from the perusal of many of her letters to those who possessed her confidence and regard (letters—the index of a heart which knew no double covering) that her only daughter has made this essay." (Mrs. Clitherall's Diary).

"According to the regulations of the Society of Quakers, a member of their denomination could not marry out of their pale and remain a member. Regretting the circumstance and necessity of withdrawing from 'her own people,' for her troth had been long plighted to Mr. Burgwin whose church principles had 'grown with his growth and strengthened with his strength,' Eliza consented to their marriage ceremony being performed at St. Mary's Church, Thornbury, Gloucestershire, where their vows were plighted and consummated by her cousin, the Rev. Richard King." (ID.) The entry on the vestry records is as follows: "*No. 408. John Burgwin, of this Parish, Esquire, and Elizabeth Bush, of the Parish of St. James, Bristol in the County of Gloucester, spinster, were married in this church by license this the 27th day of April in the year of our Lord one*

thousand seven hundred and eighty-two by me Richard King, minister. This marriage solemnized between us—

John Burgwin.

Elizth Bush.

In the presence of Sally Sergeant, Henry King, W. Holmes."

After the ceremony the bridal party repaired to the GROVE, a beautiful country house one mile from Thornbury and about three miles from Alveston, which Mr. Burgwin had rented for a year. Later Mr. and Mrs. Burgwin removed to ASHLEY BARN where they remained until their departure for America in February, 1784.

Eliza Burgwin lived only a few brief years after her marriage, dying at Wilmington on October 19th, 1787, "universally lamented by all who knew her. Her deportment through all the walks of life invariably marked her as the most tender wife, affectionate parent, and indulgent mistress, the true and sincere friend: possessing in an eminent degree all those virtues of the human soul necessary to constitute the good and amiable Christian.

"Blessed with the most benevolent and charitable disposition, her feeling and sympathizing heart was ever warm, and expanded in the relief of the unfortunate and distressed: humane to all, she viewed herself as fulfilling the most noble purposes of her being, in alleviating as much as was in her power, the calamities of others, and wiping the tears of affliction from sorrow's eyes—But, Alas! The soul thus glowing with every friendly and tender sensation, was itself unshielded from adversity: agnosing pain and torturing disease exempt neither the good or the great: this is a sad and mournful truth. During her third pregnancy, at a period when nature was least able to support her under the complicated distresses; participating in all the difficulties and painful anxieties of her husband during his political embarrassments, for the recovery of his natural and civil rights, which, though happily terminated, yet the impression, and subsequent emotions they were creative of, bore too heavy on her; their nature was too distressing for uncommon sensibility and their influence on her health and general system, was proportionately great, they being irreparably injured; and notwithstanding she

was falsely delivered seven weeks, yet nature so materially enervated was unable to re-establish herself, and after a lingering and tedious illness, which she bore with Christian patience and composure of mind, she departed this life on the 19th of October, (1787) in the thirty-fourth year of her age, with becoming resignation to the will of Providence. This Lady had been born, bred and educated a Quaker, and died firm in that persuasion; and although, she married without the pale of their church, yet she never deviated from the essential points of their doctrine, and as she lived so she died in strict communion with that faith. Her burial was conducted, by her own request, agreeably to their established form, without ostentation, attended by a numerous company of Ladies and Gentlemen to the place of interment, from which she was immediately conveyed to the family burying ground near the HERMITAGE. She left a disconsolate husband, with three little children, a beloved and affectionate sister, whose grief on this occasion beggars expression, with other relations, and many friends and acquaintances to bewail her loss. The society of that place, in her death, had sustained a chasm not easily to be supplied. As a Lady she was sensible, well-bred and polite; uniting great natural delicacy of mind, with much cultivated refinement. She was esteemed in every circle as the pleasure of her friends and acquaintances, and a bright ornament of her sex." (From a Charleston newspaper of November, 1787) "Such a funeral procession had never before been witnessed in Wilmington. The English stranger was beloved by all classes in society. The innate refinement of her mind, her loving heart, her winning address, her humane treatment of her servants, and above all her constant deportment as a Christian was known and felt by all who knew her."

Sixteen years later (May 21, 1803) John Burgwin died at the HERMITAGE in the seventy-second year of his age and was laid to rest among his dead in the family burying ground.

ISSUE (4) John Fanning, (5) Caroline Elizabeth and (6) George William Bush Burgwin.

THIRD GENERATION.

(4) JOHN FANNING BURGWIN, son of (3), was born at the GROVE, near Thornbury, England, on March 14, 1783, and was baptized in the old church at Thornbury on the 23rd of April following, his sponsors being Col. Edmund Fanning, Lt. Gov. of Nova Scotia; Henry King of Alveston, Esquire; Elizabeth Hamilton, proxy for Mrs. Mary Hooper of N. C. and Sally Sergeant. On Aug. 30, 1806, at Saratoga Springs, N. Y., he was married to Miss Sarah Pierrepont Hunt, the daughter of Robert and Eunice (Edwards) Hunt, of New Bern, N. C. Eunice Edwards was an aunt of Vice President Aaron Burr and a daughter of Johnathan Edwards, the celebrated divine. She first married in 1764 Thomas Pollok, (b. Jan. 5, 1730, d. 1777) a grandson of Major General Thomas Pollok and his wife, Martha Cullen, (b. May 1, 1663 at Dover, d. March 17, 1700-01.) Major General Pollok was one of the most conspicuous men in the early annals of North Carolina. He was a man of sterling worth, ability and character and one of the most prominent, influential and richest inhabitants. He was President of the Council and became Governor as the successor of Hyde. He was born in Glasgow, May 6th, 1654, and emigrated to Albermarle in 1683 as the Deputy of Lord Cartaret. He came from an ancient family, whose heirs owned the estates of Balgre, continuously from the reign of James III of Scotland. General Pollok was a stalwart churchman, though one of the early missionaries claims that he was luke warm on the subject of receiving the holy communion. Pollok possessed in full share the thrift of the canny Scotchman. In advancing money to Baron de Graffenreid, he was careful to take a mortgage on the lands bought by him for the Swiss and Palatine Colonists and those lands on foreclosure went into the hands of his heirs, the massacre of the whites in 1771 so discouraging deGraffenreid that he returned to his native country. (Colonial Laymen of the Church of England in North Carolina, Kemp Battle.)

Eunice Pollok had four children by her first husband: one of whom Frances, born March 18, 177—, married on April 8,



JOHN FANNING BURGWIN

1790, John Devereux and their daughter Frances Pollok Devereux married Leonidas Polk, First Bishop of Louisiana, and a Lieutenant General, C. S. A. Thomas and George Pollok died intestate and without issue and their property went to their whole sister Frances's (Mrs. Devereux) heirs and their half-sister's (Mrs. J. F. Burgwin) heirs.

Sara Pierrepont Hunt (d. Apl. 17, 1823), was the only daughter of her mother's second marriage, and she was the mother of all of John Burgwin's children. (4) Mr. Burgwin was a large merchant doing business at Fayetteville, Wilmington, New Bern and New York. He married, secondly, Miss Ellen Barber, of Bath, England, but she died without issue. Mr. Burgwin died at Raliegh, N. C. in 1864 in the eighty-first year of his age.

ISSUE: (7) Julia Theodosia, (8) Geo. Pollok Alverston (died young without issue), (9) Henry King, (10) Thos. Pollok (b. Dec. 3, 1814 m. Matilda Barclay and died 1868 without issue); (11) John Collinson (d. y. No issue); (12) Edward Devereux (d. y.); (13) William Devereux (d. y.); (14) Sarah Emily.

CAROLINE ELIZABETH BURGWIN, (dau. of No. 3) was born at Charleston, South Carolina, April 9, 1784, the evening of the same day her parents completed a ten weeks voyage from England to America.

The following October while returning with her parents from a trip to Newport, R. I., an incident occurred which she tells most interestingly in her diary: "Constant head winds and stormy weather produced upon Mrs. Burgwin (her mother) and Sophy (a maid) excessive sea-sickness. Priscilla (sister of Mrs. Burgwin) and old Robert, whom Mr. Burgwin always travelled with as a most efficient body servant, were the only two of the party capable of nursing. Provisions gave out—the captain was constantly intoxicated—their situation gloomy indeed. The baby's (Caroline) disease gradually increased and she slowly exhausted and sank into the sleep of death. Priscilla, with that energy of mind with which some characters are gifted, dressed and laid out the little body, while the ship's captain prepared the box which was to guard it in the deep. Priscilla, through

one of those mysterious providences of God, was enabled to sit by and watch the little sleeper until the last mournful duties would oblige her to give it up. But there was an arm above Who held that little being's soul in His power and to accomplish ends He alone could direct. The inebriate captain approached the table upon which the inanimate infant was laid. From his liquor case he drew a bottle and having drunk placed it upon the table. A providence directed lurch of the vessel upset the bottle and its contents were emptied upon the little unconscious body—its face and breast were deluged and in wiping off the brandy Priscilla imagined she saw some motion of the breast. Calling old Robert they made use of friction with the application of flannels until a partial animation was restored. Continuing efforts were permitted to succeed: flickering life became stronger and stronger until the little babe, restored to strength and motion, was placed by the grateful Priscilla in its astonished mother's arms, as sick and languishing and mourning she lay in her stateroom. Such emotions as she felt are not to be defined. A something within must have whispered to her: 'Cherish this infant God has restored to thee: raise it for Him—dedicate her to His service.' ”

The arrival of her father with his English wife and little child at the HERMITAGE is also vividly described in the Diary and I quote a part of it: “With smiling faces and extended hands the negroes from each plantation had assembled on the Piazzo to welcome ‘Massa and he new wife.’ ‘Bless de Lord! We’s got Missus and little Missus too; she was very poor and walk sickly, but now she be come home and hab her own niggers to wait on her she’ll do better. Here, Aunt Dolly, let ebry body see our little Missus. God bless our Massa and Missus.’ And each faithful creature, shaking the hand of Mr. and Mrs. Burgwin, courtesying and scraping returned to their little cabins. Mrs. Burgwin pronounced the next three days to be ‘days of jubilee.’ She had brought out several bolts of calico, head handkerchiefs and hats and a large parcel of needles, thread, etc. The next day Priscilla, Sophy and herself measured off a dress to each woman, a hat and handkerchief to the men, and for those who could not sew they cut and made their own gowns.

How often have I heard my dear father relate this anecdote of my aunt and mother, adding: 'The time lost from their labour was amply made up by their after exertion and gratitude.' My dearest mother often spoke of the responsibility to which Masters and Mistresses were liable not only for the care of their Servant's bodies but for their souls. She held religious instruction a duty, and on Sundays regularly assembled all who would attend and read the Scriptures and conversed with them."

Soon after Mrs. Burgwin's death, Caroline, accompanied by her Aunt Priscilla, was sent to England to be educated and raised by her mother's people. She remained in England until September, 1800. While there several of her years were spent under the guardianship of her maternal aunt, Mrs. Frances Elizabeth King (1757-1821) wife of the Rev. Rchd. King and the author of "Female Scripture Characters" and the "Rector's Memorandum Book"—two little volumes which went through more than eleven editions and were very popular in England. Caroline Burgwin was a cousin of the Rev. John Collinson, Rector of Boldon, and a very eminent and scholarly divine. He was the father of Capt. Rchd. Collinson, R. N., C.B., who was sent out by the English Admiralty in search of the arctic explorer, Sir John Franklin. Capt. Collinson's party was not heard from for five years and it was feared that he and his party were also lost.

At Wilmington, N. C., on May 5, 1802, Caroline Burgwin was married to George Campbell Clitherall, of North Carolina, later an Assistant Surgeon in the United States Army. His father James Clitherall, was the son and only child of John Clitherall, of New Bern, N. C. John Clitherall married Magdalene Cathcart whose mother, Margaret Cathcart, was a descendant of the family of Earl Cathcart, of Scotland, from whence her father emigrated in 1740. James Clitherall (d. Aug. 16, 1811) was graduated after a seven years course in medicine and surgery at Edinburgh University and practiced his profession at Charleston, S. C., winning an enviable reputation by his great skill and learning. There he married Mrs. Eliza Inglis Smith, (d. Oct. 13, 1810) relict of Thos. Loughton Smith and daughter of Geo. Inglis. Dr. Clitherall was appointed Hospital Surgeon's Mate,

March 8, 1817; Post Surgeon Apl. 18, 1818, and was retained as Assistant Surgeon from June 1, 1821. He died Nov. 10, 1829, at Fort Johnston, N. C., where he had been stationed for many years. He was a gentleman of charming personality and attracted friends from every walk of life. His brave, cheerful spirit, quiet fortitude and unflinching integrity bore him not only undaunted, but un murmuring through the many anxieties and responsibilities of his arduous life.

Financial reverses over-taking them, Mrs. Clitherall conducted a boarding school for young ladies, opening first in January, 1814 at THORNBURY, her home four miles from Wilmington on the east bank of the Cape Fear. She also conducted a school at Smithville, with much success for many years and after her removal to Alabama in 1837 she taught school at Greensboro and Tuscaloosa. She died at Montgomery, Alabama, Oct. 9, 1863 and is buried in Oakwood Cemetery. "Of great personal beauty, which even old age seemed reluctant to efface, and did not wholly; with a strong and active intellect which had received much careful culture in her youth, and which she continued to cultivate assiduously ever afterwards by judicious reading and an enthusiastic pursuit of useful knowledge; with a mind thus furnished with almost inexhaustless resources, which a retentive memory and rare conversational powers made always available, and with a genial temperament, a kind heart, and cordial affability prompted her to use lavishly for the entertainment of her friends making her society, as all who have enjoyed it will testify, a charm and fascination to old and young. With cultivated manners, which while commanding respect and making rudeness blush in her presence, were at the same time exceedingly winning; and with uniformly consistent piety, gently asserting but firmly maintaining sweet control over and giving additional attractiveness to all her other gifts—there was in her an harmonious assemblage of attributes and graces as beautiful as it is rare, which once seen, is not forgotten. A rich legacy must her blessed memory be to her surviving relatives. To emulate her virtues would be a noble endeavour: to rival her in graceful accomplishments, a worthy ambition: to equal her in Christian attainments, a sure guarantee of the welcome plaudit, which

she herself has no doubt received, 'Well done thou good and faithful servant, enter thou into the joy of thy Lord.' The Protestant Episcopal Church, of which she was for many years a devout and zealous member, witnessed in her a beautiful exemplification of the excellence and fruitfulness of her teachings when received into 'an honest and good heart.' And all who knew, as the writer of this brief tribute did, 'what manner of person' she was in all holy conversation and godliness, will long remember her as a true 'mother in Israel' who walked far more nearly than is often done 'in all the commandments and ordinances of the Lord blameless.' And thus 'made meet' by divine grace, to be 'partakers of the saints in light.' Though sorely missed alike around the family hearthstone, in the social circle and in the house of prayer, we will not selfishly wish her back to earth.

'She sleeps in Jesus—calmly sleeps:
Then wipe away the tear,
Which glooms and dims the eye that weeps
Because she is not here.
The dead are like the stars by day;
Withdrawn from mortal eye,
But not extinct, they hold their way
In glory through the sky.'"

ISSUE: (15) Eliza Inglis Clitherall; (16) Emily Priscilla Bush, 1805-12; (17) James Campbell, 1807-11; (18) Harriett Alexandrene Smith; (19) Mary Georgena, 1813-15; (20) Geo. Bush Burgwyn; (21) Frances King; (22) Madeleine Mary; (23) Alexander Baron Clitherall.

(6) George William Bush Burgwin, younger son of No. 3, was born at the HERMITAGE, Sept. 2, 1787, about six weeks before the death of his mother, Eliza Bush Burgwin. On April 7, 1807, he married Miss Maria Nash, daughter of Gov. Abner Nash, of N. C., and sister of Chief Justice Frederick Nash. She was born Oct. 27, 1786. Col. Jno. Nash, grandfather of Mrs. G. W. B. Burgwin, was of Templeton Manor, Va., and was the son of Abner Nash of Tenby, S. Wales. He was presiding judge of Prince Edward County, an official in the colonial army

and a member of the House of Burgesses of Virginia. Col. Nash had two sons: Francis,—who served in the Revolutionary Army as a brigadier general and was killed at the battle of Germantown, Oct. 4, 1777, while leading the North Carolina Troops, and Abner, father of Mrs. Burgwin, who died in New York, Dec. 2, 1786. He was a lawyer of great ability and of immense political influence. He was a member of the committee that prepared the Constitution and Bill of Rights of N. C. and was the first speaker of the House of Commons of N. C. and was the second governor of that State. At the time of his death he was a member of the Federal Congress. Gov. Nash married Mary Whiting Jones, a lineal descendant of Gov. Bradford, the famous Governor of Pilgrim Colony, who came to this country in the *Mayflower* in 1620. Mr. Burgwin farmed on an extensive scale and the cultivation of his huge rice plantation occupied the active years of his life. Mrs. Burgwin lived only a short while after the death of her son, Capt. Burgwyn, of the United States Dragoons who fell at Pueblo de Taos. She died literally of a broken heart.

ISSUE: (24) Frances Eliza Bush; (25) Mary Nash (d. y.); (26) John Henry King; (27) Margaret Ann; (28) Caroline Athelia; (29) George Clitherall, (d. y.), (30) Frederick Nash (d. y.); (31) Witherspoon Hasell; (32) Ann Maria; (33) Sarah Priscilla; (34) Nathaniel Hill.

FOURTH GENERATION.

(7) Julia Theodosia Burgwyn, daughter of No. 4, was born at Wilmington, North Carolina, Sept. 30, 1807. On Dec. 28, 1839 she was married to the Rev. Cameron Farquahar McRae (d. Aug. 1872) of the Episcopal Church. She died in Philadelphia June 19, 1853. Rev. McRae later married Susan Plummer by whom he had several children.

ISSUE: (McRae-Burgwyn) (35) Sarah Pierrepont, d. Apl. 27, 1845; (36) Cameron Farquhar, d. May 18, 1845; (37) John Burgwyn; (38) Katherine Mary, d. 1847; (39) Donald Farquhar, d. Feb. 28, 1851; (40) Anne Julia, d. May, 1850; (41) Geo. Henry Edwards, d. May, 3, 1854.

(9) Henry King Burgwyn, son of No. 4, was born in New York, Jan. 7, 1813. On Nov. 29, 1838 he married Ann Greenough, (b. Oct. 13, 1817) of an old and distinguished New England family. Mr. Burgwyn died at Richmond, Va., Feb. 2, 1877.

ISSUE: (42) Maria Greenough; (43) Henry King; (44) William Hyslop Sumner; (45) John Collinson (d. y.); (46) Ann Greenough, (d. y.); (47) George Pollok; (48) John Alveston; (49) Collinson Pierrepont Edwards Burgwyn, who is a distinguished civil and hydraulic engineer of Richmond, Va. He is a C. E. of Harvard University and Lawrence Scientific School and an A. B. of Harvard College.

(14) Sarah Emily Burgwyn, daughter of No. 4, died April 8, 1905, in Philadelphia. "In the death of Miss Burgwyn there passes away a lady not only widely known and greatly esteemed in this country but also throughout Europe, and one of the most noted belles of the fifties. Born in North Carolina, she came of distinguished English conservative stock, which showed itself in the career of her father, the late Mr. John Fanning Burgwyn. On her mother's side she inherited the mental powers and high virtue of the descendants of Jonathan Edwards. She combined many noble and high qualities with a winning and graciousness of manner which made her many friends during her long and eventful life. Entering Philadelphia Society under the distinguished auspices of Judge and Mrs. Joseph Hopkinson and Mrs. Wm. Biddle she met many of its most noted leaders who accorded her a hospitable welcome. Among her many friends was Mrs. James Rush, who chaperoned her when she visited Saratoga, Newport and Boston, accompanied by her father and uncle. In after years, in speaking of those times, she would mention the names of Willis and Curtis as among her friends. Later in life she passed much of her time in Europe, and during her residence in Florence she became the friend of Mr. and Mrs. Browning, Mrs. Trollope and Chas. Lever. She had also the rare gift of retaining the friendship and inspiring affection in the sons and daughters of former friends. For the past twenty years she has been living very quietly with her niece, Miss Katherine McRae." (Philadelphia Evening Bulletin, Apl. 8, 1905).

(15) Eliza Inglis Clitherall, dau. of Dr. George Campbell Clitherall and his wife No. 5, was born at Charleston, S. C., June 2, 1803. At Smithville, N. C., on May 22, 1820, she was married by the Rev. Thos. Wright to Junius Alexander Moore, (son of James and Rebecca *Davis* Moore), a lawyer who was born at BRUSH HILL, the seat of his father, near Wilmington, N. C. About 1837 Mr. Moore removed to Alabama where he continued to practice his profession and died at Tuscaloosa, Ala., June 2, 1844.

Mrs. Eliza Moore was one of the most charitable and generous women who ever lived and few women in the South worked harder than she for the comfort of the Confederate Soldier. "Where is now Nachman & Meertiff's store, once the famous Concert and Estelle Halls, on the corner of Perry and Dexter Avenue, was still another Confederate hospital, the surgeon being Dr. Wm. Holt. Here also the ladies worked valiantly under the direct leadership of Mrs. Eliza Clitherall Moore." (Memorial Ass'n of Mtgy. Its Origin and Organization by Mary A. Cory, p. 18). "During the war there were many societies among the ladies of Montgomery for the alleviation of suffering, among them being Ladies' Aid Societies, where the good women met and plied their needles for sweet love's sake. The President of one of the most prominent of these was Mrs. Eliza Clitherall Moore, who with her able co-laborers worked night and day over the cutting tables with sewing needles, making every needful thing for the soldiers in distant camps and battle fields. Under her supervision were even the bright faced schools girls, who fled from books to this blessed work as a pastime more glorious than play. Mrs. Moore died July 9, 1886. A more devoted Confederate never ministered to the wounded and dying. Never did she waver until 'The warrior's banner winged its flight to greet the warrior's soul.'" (ID. p. 10).

Junius A. Moore "was gifted with talents of the highest order, to which he had added a fund of rich and varied information. As a scholar he was eminent alike for his profound learning, and the beautifully chaste and classic style which characterized his conversation and writings. His life as a husband and father was most tender, gentle and affectionate. Kindness, generosity,

and amiability marked all his intercourse with his fellows. He was, indeed, 'a gentleman of the old school,' and the tear of sympathy shed by many friends testified that his family were not solitary in their bereavement; but ere 'Life's fitful fever o'er' he gave them a rich source of consolation, in the declaration of his belief that his prayers were heard and accepted at the throne of grace—that his peace was made with God." (Obituary from old Tuscaloosa paper.) His personal qualities endeared him to many friends and his loyalty and devotion to them were marked traits of his character.

He was a lineal descendant of James Moore (1640-1706) Governor of South Carolina in 1700 and later Attorney General of the Province. "Jas. Moore was a bold, adventurous man, of high spirit, unflinching courage and strong mind and he soon became a leader of men. He was one of the ablest soldiers of the Province and had greatly distinguished himself in the numerous wars with the Spanish and Indians." (Address of Junius Davis before Sup. Ct. of N. C., Apl. 29, 1899). "He was a hot headed Irishman, said to be the son of the Irish Chieftain Roger Moore, who as Hume says 'First formed the project of expelling the English and asserting the independence of his native country' and who had been a leader in the revolt after Strafford. (1641) He was the type of his countrymen, the type also of the 'gentleman adventurer' who had sailed with Drake and Raleigh two generations before. He had come from Barbadoes where he had married Elizabeth, the daughter of Sir John Yeamans, had led a bold and adventurous life, had penetrated the wilderness, traded and fought with the Indians, crossed the Appalachians and found traces of gold there. * * * Moore planned and carried out successfully an expedition against the Appalachian Indians, who, living northwest of St. Augustine, were not only the allies and pupils, but the food purveyors of the Spaniards. With fifty white men and some Indians, Moore marched against and stormed seven well-made Spanish-Indian forts securing many prisoners and considerable booty. This expedition besides costing the government nothing taught the Indians great respect for the whites." (Ravenel, Charleston—

the Piace and the People). Gov. Moore's eldest son, James, also became Governor of S. C. (1720).

Col. Maurice Moore, younger son of Jas Moore (1640-1706), accompanied his brother in 1712, as an officer in the expedition against the Tuscaroras. While there he married the first time, Mary Porter, dau. of John Porter and his wife Sarah Lillington who was a daughter of Gov. Alexr. Lillington. The old saying that there is no love like *mother love* was given heroic exemplification by Sarah Lillington Porter. During the terrible Indian Massacre in 1711 her home was attacked by Indians and a powerful warrior seized her infant child and was about to dash its brains out against a tree when the mother rushed up; leaping upon the warrior she bore him to the ground and rescued her child. A few minutes later her husband (Jno. Porter, Jr.) and friends came up and the little party managed to reach the river and make their escape. The Indians however burned their little home. (Ashe's Hist. N. C. Vol. I, p. 183).

To Maurice Moore belongs the honor of founding, about 1725, Brunswick, *the first permanent settlement of the Cape Fear region*. Maurice was a brother of "Old King Roger" Moore, so called because of his great wealth and numerous slaves. One of the last battles with the Indians of the Cape Fear was fought by old "King Roger" and his slaves at Sugar Loaf. (Ashe's Hist. N. C., Vol. 1). Col. Maurice Moore "was a churchman, at one time sharing with Mosely the distinction of being the strongest man in the Province of N. C. He was a son of the first Gov. Jas. Moore, of S. C., whose ancestors belonged to one of the oldest and most influential families of Ireland, of which the Marquis Drogheda is the present (1892) head. Moore exerted a commanding influence on his community." (Kemp P. Battle). His two sons were ardent patriots and distinguished men of the Province, Maurice, being, at the breaking out of the Revolution one of the three judges of the Province; James was a colonel of the First N. C. Continental Regiment and was a Brigadier General in March, 1776. A few months after, upon the departure of Lee for the North, Congress made him commander in chief of the Southern Department. He and his brother both died at Wilmington on the same day (Jan. 15, 1777) and in the

same house. General James Moore (son of Maurice and Mary Porter Moore) married Ann Ivey and had several daughters and two sons, one of the latter, James Moore, a planter who died in 1802, married Rebecca Davis. She was the daughter of Thos. Davis and Mary Moore who was a dau. of Geo. Moore, (b. Dec. 24, 1815) son of "Old King Roger" Moore and husband of Mary Ashe, (b. March 5, 1723, m. March 19, 1729, d. Apl. 2, 1761).

Mary Ashe's father was Lieut. John Baptista Ashe, a man of wealth, a lawyer and Speaker of the Assembly in 1727. "Ashe was a man of independent mind; of fearless temper, a devoted friend to liberty and an indomitable opponent of oppression and the exercise of illegal authority." He died prior to May, 1735, and is buried at GROVELY, his plantation nine miles from Wilmington. Lieut. Ashe married Elizabeth Swann, (b. June 26, 1699), dau. of Colonel Sam'l. Swann who died in 1707 and his wife Elizabeth Lillington whom he married May 19, 1698. Elizabeth Lillington was a daughter of Dep. Gov. Alexander Lillington. James Moore and his wife Rebecca Davis Moore had two children: Sophia, who married Samuel Strudwick and Junius Alexander, above mentioned.

Elizabeth Yeamans, wife of James Moore, Governor of S. C. in 1700, was a grand-daughter of Robert Yeamans, a Cavalier and High Sheriff of Bristol in 1643. "So devoted to the cause of Charles was Robt. Yeamans, and so sturdily and bravely did he bear himself in defense of that city, that upon its capture Fairfax, in his wrath hanged him in the street opposite his dwelling." In 1814, in opening a vault in St. Maryport Church Bristol, the body of Yeamans, in a coffin of great antiquity, deeply concealed, was discovered and was in the "highest state of preservation, handsomely accoutered in the costume of that day, with gloves similar to those which Sheriffs wear at present." His son, Sir John Yeamans, wearied of the strife and persecution of the civil war, sought rest and peace in the Barbadoes, and by his ability established a reputation and accumulated wealth and in 1661 was knighted by Charles II. on account of his father's services and his own merit. He was made a Landgrave and Governor of South Carolina, and administered the government faithfully and ably, though much to the dissatis-

faction of a certain element of the colonists, and finally the Proprietors, from selfish motives arising out of trade competition, sacrificed him in the hope of appeasing that element and saving money for themselves, whereupon he returned to Barbadoes and soon died there. (Waddell: *Early Explorers of the Cape Fear*; Sprunt: *Old Brunswick*.) His daughter as stated above, married James Moore. "It was a singular destiny which brought about this alliance and mingled in its offspring the blood of the Irish Rebel with that of the English Cavalier." (Junius Davis: Address Apl. 29, 1899).

ISSUE: (50) Georgena Rebecca Moore; (51) Caroline Sophia Moore; (52) Emily Geraldine Moore, b. at Smithville, N. C., Nov. 29, 1830, d. Nov. 17, 1832.

(18) Harriett Alexandrene Clitherall, dau. of No. 5 and her husband Dr. Geo. C. Clitherall, was born at Charleston, S. C., June 9, 1809. In 1829 she married Major Samuel Spotts, who was appointed from Delaware a 2nd Lieutenant in the First U. S. Artillery, Feb. 10, 1812. In 1815 he was promoted for gallant conduct at the seige of New Orleans when he commanded the American Artillery. He resigned from the Army in May, 1829. Mrs. Spotts died at Green River, Ky., June 10, 1834.

ISSUE: (53) Caroline Eliza Spotts (d. y.); (54) Saml. Wm. Byron Spotts, b. Feb. 15, 1832.

(20) Geo. Bush Burgwyn Clitherall, son of No. 5 and her husband Dr. Clitherall, was born at Ft. Johnston, N. C. June 13, 1814. On Sept. 1, 1836 he married Sallie Ann Forbes, of New Bern and died at Mobile in October, 1889.

ISSUE: (55) Elizabeth Forbes Burgwyn Clitherall.

(21) Frances Elizabeth King Clitherall, dau. of No. 5 and her husband Dr. Clitherall, was born Oct. 11, 1817, at Ft. Johnston, N. C. Most of her early life was spent in New Bern, N. C. where she was confirmed by Bishop Ives of the Episcopal Church. In 1835 she married John Adam Moore Battle. Mrs. Frances Battle died at Mobile on the 16th of Feb., 1849. "Possessed naturally of unusual loveliness of mind and person, she had added the still more beautiful ornament of a meek and quiet spirit, which in the sight of God is of great price. Having very early in life, at the age of fifteen, renewed her baptismal vows,

and joined in full communion with the Church, all her faculties and powers were consecrated to God's service. Religion was the work of her life, and all who knew her can testify how diligently she sought to do that work, how ardent and joyful was her piety how benevolent her feelings and unbounded her charity. Like her Divine Lord, according to the measure of her gift of grace, "she went about doing good." The church of her affections, and the Church's poor, were ever in her thoughts and her chief objects of interest, and they, next to her family, will be the keenest sufferers by her removal from earth. As few, probably, have ever approached nearer the stature of a perfect Christian wife and mother, so very few have ever made their influence more generally and permanently felt in the congregations and communities of which they were members, than she did in Mobile. Her Christian character grew brighter and brighter every hour during her life, her joy and peace more permanent, her frame of mind more spiritual." (From the 'Banner of the Cross'.)

ISSUE: (56) Annie E.; (57) Caroline Georgena m. Judge Egbert H. Granden; (58) Mollie, m. Robert T. Stannard, Jan. 7, 1861. (59) Samuel G. (1842-1893, (60) James, b. 1844; (61) George C. b. 1846; (62) Fanny, b. 1848.

(22) Mary Madeleine Clitherall, dau. of No. 5 and her husband Dr. Clitherall, was b. May 8, 1818. She first married in October, 1836, George Lovick Jones, of Tuscaloosa, Alabama.

ISSUE: (63) George Clitherall Jones; (64) Eliza Clitherall Jones, b. 1840, m. Capt. Lewis Neill Huck. She is now living at Mobile, Alabama. (65) Harvey Ellis Jones.

Mrs. G. L. Jones, after the death of Mr. Jones, married on March 4, 1851, her brother-in-law, John Adam Moore Battle, at Tuscaloosa, Alabama. By her second marriage she had issue as follows: (66) Alexander Clitherall Battle, b. May 2, 1852 d. y.; (67) Netta Battle; (68) Frank Battle, b. Nov. 25, 1855. Married Jennie Hall and lives in California. (69) John Scott Battle b. June 1, 1859; (70) Walter Granden Battle.

(23) The youngest son of Dr. George Campbell Clitherall and his wife (5) Caroline Burgwyn, Alexander Baron Clitherall, was born at Smithville, Brunswick Co., N. C., Dec. 12, 1820. Receiving his collegiate education in his native state he later at-

tended college in Pennsylvania where his course was interrupted by the removal of his mother, in 1837, to Greene Co., Ala. For a while he was a clerk in his brother's (Geo. B. Clitherall) store at Greensboro. In 1839 he removed to Tuscaloosa to study law under the Hon. E. Woolsey Peck, later Chief Justice of the Supreme Court of Alabama. He was licensed to practice in 1841 and the year following he removed to Pickens County, Alabama, where on June 30, 1844, he was united in marriage to Kate Hayes, (b. Mann, Miss. July 26, 1828), daughter of James and Martha *Coles* Hayes. Mr. Clitherall located at Carrollton where he engaged in the practice of law and for many years the firm of Clitherall & Willett was one of the leading law firms in the State. From 1842 to 1852 he was assistant or principal clerk of the Ala. House of Representatives and in February, 1854 he was appointed, by Gov. John A. Winston, judge of the Seventh Judicial Circuit and held the Spring Term of that Court. Judge Clitherall served ably and won for himself an enviable reputation. He presided in the case of the State vs. Eskridge, a white planter of Sumter County, who was indicted for mayhem by shooting one of his slaves in the leg with a shot-gun. The defendant was convicted and sentenced by Judge Clitherall to eleven years imprisonment in the penitentiary. It was the first time so severe a punishment had been visited upon a slaveholder and the case aroused great interest. One newspaper commenting upon the case said: "We rejoice that so signal an example has been made and that righteous retribution has visited one of that class of brutal slave-holders, small as that class is, whose bad actions have done so much to bring disrepute upon the South. We commend this verdict and sentence to Mrs. Stowe and her associates."

In June of the same year he was appointed by Gov. Winston, judge of the Probate Court of Pickens County. He evinced upon the circuit bench and as probate judge both legal ability and business habits, added to quickness of perception and sound judgment. In 1857 he was elected to the State Senate from Pickens and was, perhaps, the best parliamentarian in that body. In 1859 he became a member of the lower house of the Alabama General Assembly. Judge Clitherall became a citizen of Mont-

gomery in 1861 and was temporary private secretary to Jefferson Davis, President of the Confederate States, and as such carried President Davis' first message, appointing his cabinet, to the Confederate Congress. For a short while he served as Assistant Secretary of the Confederate Congress, and while in this capacity prepared the original Constitution of the Confederate States. He compiled and arranged the engrossed copy from the original manuscript and had a printed copy made with wide marginal notes and this copy as made by Judge Clitherall was read to the Confederate Congress. After all amendments were in, the copy as thus arranged was read to the adopting body and was then voted on and adopted as the permanent Constitution of the Confederacy. This instrument is now in the possession of a daughter of Judge Clitherall, Mrs. A. C. Birch, of Birmingham, Ala.

Shortly after, he was appointed Register of the Confederate Treasury Department, serving his country at Montgomery and Richmond until his failing health forced him to return to the former place. Judge Clitherall has the distinction of being the first person to call for cheers for the first Confederate flag. This flag was unveiled at 3.45 P. M., March 4, 1861, from the Capitol Building at Montgomery and an old newspaper states: "Judge Clitherall of the Treasury Department, standing on the roof against the flag-staff, a picture of patriotic animation called for 'Three cheers for the Confederate flag'—and the spirit that flamed behind the answering cheers, if not the cheers themselves, made itself heard 'round the world and down the echoing corridors of history.'"

Judge Clitherall was over six feet tall and spare. "His intellect was bright and quick. Almost without and effort it seemed to seize hold of and illumine every part of a complicated question, enabling him at once to present to others his conclusions with great clearness. And he was as witty, and as happy in repartee, as Sydney Smith. No 'quip modest,' nor in fact any other sort of quip, was ever directed at him, which did not meet with an immediate 'retort courteous,' and the retort was generally the more effective of the two. His witticisms were sometimes characterized by all the keenness of the edge and deftness of manage-

ment of the scimitar of Saladin in dividing the cushion—sometimes all the down right force of the sword of Cour de Lion in cleaving the iron bar. And yet such hearty good humor accompanied the strokes—emphatically strokes of pleasantry—that they never left a wound behind them. If one was at any time inflicted, like that received by Percie Shafton in the glen of Coran shian, it was instantly healed by the ‘White lady of the heart.’ Although before Clitherall’s death years had silvered his hair, he retained in a singular degree his youthful freshness of feeling.

“A mirthful man he was—the snows of age
Fell, but they did not chill him. Gayety,
Even in life’s closing touched his teeming brain
With such wild visions as the setting sun
Raises in front of some hoar glacier
Painting the bleak ice with a thousand hues.”

He was full of merriment, indeed some rather thought he had too much; but it should be said that beneath all the glittering effervescence was the purest wine of generosity, courage and integrity, joined with a love for his friends as strong and as lasting as life. Many were benefitted by his virtues—none save himself were injured by his faults.” (S. S. Scott: *Reminiscences Ala. Legislatures.*) During a ‘mock session’ Judge Clitherall introduced the following resolution aimed at a one-eyed member who was constantly, in season and out of season, harping on the ‘interests of the poor of Alabama’: Resolved, That the gentleman from C. has an eye single to the ‘interests of the poor of Alabama.’

Judge Clitherall died at Montgomery, Alabama, Feb. 17, 1869, in the prime of life. He was not only a brilliant lawyer, but a poet of no mean ability, a writer, public speaker and orator. He was a man of jovial and congenial nature and was always, on account of his wit and humor, in demand as a speaker on all public occasions. He was a frequent contributor to the press and at one time edited the *West Alabamian*, a Democratic newspaper of Carrollton, Alabama. Some of his humorous sketches rivalled those of Jonse Hopper. Mrs. Clitherall sur-

vived her husband many years and died at Montgomery only a few years ago.

ISSUE: (71) Ida; (72) Fannie Battle; (73) Madeline; (74) Mary; (75) Geo. Burgwyn, all of whom died in infancy; (76) Minnie; (77) Mattie; (78) Allie Burgwyn.

(24) Frances Eliza Bush Burgwin, eldest daughter of No. 6, was b. Jan. 26, 1808 and died Oct. 31, 1839. On Jan. 10, 1828 she married William Edward Anderson who died at Wilmington, Dec. 5, 1852.

ISSUE: (79) Mary Bird Anderson, b. Jan. 18, 1829, sing.; (80) George Burgwin; (81) Elizabeth Ogden, b. Apl. 29, 1833; (82) William E., b. Nov. 29, 1835, m. Molly Syme; no issue; (83) Robert Walker, b. Jan. 23, 1838; m. Rebecca Cameron; no issue. He was a soldier in the Confederate Army; was wounded at Sharpsburg and was killed in the Wilderness on May 5, 1864.

(26) John Henry King Burgwin, eldest son of No. 6, was a cadet at the United States Military Academy from July 1, 1826 to July 1, 1830, when he was graduated and appointed 2nd Lieutenant of the First United States Dragoons; he was promoted to 1st Lieutenant, June 1, 1838, and to Captain, July 31, 1837. During the Mexican War he was ordered to Mexico and he and his command, after their arrival, were sent by Col. Price to fight Mexicans posted on a gorge leading to Emdubo. "Capt. Burgwin found them 600 strong, posted on the precipitous sides of the mountains, where the gorge would only admit the passage of three men abreast. There could scarcely be a better position for defence, yet Captain Burgwin drove them from it, with the loss, on their part, of twenty killed and sixty wounded. He had only one man killed and wounded. He marched through the pass and entered Emdubo. From thence he marched to Trampas, where he met Col. Price, and the whole army marched over the Taos mountain, breaking a road through the snow which covered it for their artillery. The enemy were found to have fortified Pueblo de Taos, a place of great strength, surrounded by adobe walls and strong pickets, every part of which was flanked by some projecting building. He opened his batteries on the town on the 3rd of Febrary,

(1847) but in a little while retired to wait the concentration of forces. On the 4th at nine o'clock in the morning, the fire was again opened, and at eleven, finding it was impossible to make a breach in the walls with the howitzers, the colonel determined to storm the church, which was in the northwestern angle of the town. Capt. Burgwin lead the attack. His party established themselves under the western walls of the church, and attempted to breach it with axes, while the roof was fired by the help of a temporary ladder. In this emergency the gallant commander exposed himself fatally to the enemy. Capt. Burgwin left the shelter afforded by the flank of the church, and penetrated into the corral in front of the building and endeavored to force the door. Burgwin, in his daring effort, received a wound which caused his death on the 7th of February." (Frost's Pictorial History of Mexico and the Mexican War, p. 461).

His body was first interred at Ft. Leavenworth but in the following December Capt. Burgwin's remains were brought back to the State he loved so well and was received at Wilmington with honors befitting the noble dead. Thousands stood with bared heads and tear stained faces as the funeral procession approached Front St. The mournful cavalcade halted in front of the Cape Fear Bank building, from the portico of which Joshua G. Wright, a brilliant lawyer and a gentleman of superb oratorical powers, delivered an eloquent eulogium, whose touching and beautiful sentences brought tears to every eye. The body was then borne to the HERMITAGE, accompanied by a large escort of the first citizens of Wilmington, and laid to rest in the family burying ground. Later it was removed to Oakdale Cemetery where a handsome monument now marks the final resting place of this brave and noble American soldier.

"On Fame's eternal camping-ground
Their silent tents are spread,
And Glory guards with solemn round
The bivouac of the dead."

Captain Burgwin was as "brave as a lion, yet refined and gentle as a woman. His death was mourned as a loss, not alone

to his friends and family, but to his country. He was unmarried, but at the time of his death was engaged to a young lady of great accomplishments, and his last act, ere his life terminated, was to take from his finger a ring and give it to a friend who bent over him to deliver to her with farewell messages of tenderness and love." (Am. Mag. of Hist. Vol. 16, p. 441.)

It is related that after the church at Pueblo de Taos was taken and as Capt. Burgwin's wounded body lay on the ground, one of the surrendered Mexicans passing by, exultingly remarked: "I shot that dam Captain!"—the attacking party were picked off thru barricaded windows. One of Capt. Burgwin's men, hearing the remark, in his frenzy of grief, forgot all prudence and rushed upon the Mexican, attacking him fiercely. The soldier was of course arrested and taken prisoner to Ft. Leavenworth and sentenced to imprisonment with ball and chain for several months.. The lady to whom Capt. Burgwin was engaged was at this garrison and often at night heard the soldier's nervous tramp and the clanking of the ball and chain and so tortured was she, knowing the cause of it, that she secretly bribed the guard to let the soldier escape.

(27) Margaret Anne Burgwyn, dau. of No. 6, was b. Nov. 1, 1811. On Sept. 21, 1829 she married Samuel Iredell Johnston, D. D., a grandson of Gov. Gabriel Johnston, of N. C. Mrs. Johnston died November 16, 1886.

ISSUE: (84) Samuel, d. y.; (85) James Cathcart, b. 1834; d. Dec. 1888. Married Catherine, dau. of Dr. Wm. Warren, who died Feb. 22, 1889. They had six children, among them: Katherine, Frances, Samuel I, William, and Margaret, all of whom live in Texas. (86) Maria Nash, b. 1836, d. 1907, married Rev. Francis W. Hilliard and had issue: i. Margaret; ii. Katherine; iii. Elizabeth; iv. Iredell; v. Foster who married Miss Sewell and lives in Memphis, Tenn.; (87) Elizabeth Cotton, b. Feb. 22, 1838. She married Dr. Edward Warren-Bey, an eminent physician and author of "A Doctor's Experiences in Three Continents," and had issue: i. Elizabeth Cotton; ii. Innis who married Frank Bizzell and had issue: a. Frank and b. Mary Prince; (88) Gabriel, D. D. who was born in 1842 and died Jan. 5, 1913. He was a clergyman of the Episcopal Church and

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had issue: i. Mary, ii. Margaret m, Henry Macomb who is a lawyer of Welland, Ont. iii. Margaret who m. and had issue: a. Hudson and b. Gabriel. iv. Emma Killarly; v. Katherine m. Herbert Sidey, a newspaper owner of Welland, Ont. (89) Capt. Geo. B. Johnson, C. S. A. b. 1840, killed in 1864. He married Nanie, dau. of Dr. Chas. E. Johnson. (90) Twins who d. y. (91) Iredell, died single. (92) Helen S. b. 1844, married in 1869 Dr. Jno. D. Perry and had issue: i. Abner, d. y. ii. Margaret, m. James M. Norman and had issue Jas. Marshall Norman. (93) John Johnston, b. 1846, m. Ida Lytle and d. 1877. (93a) Frances Ann, b. March 31, 1858, d. 1907. She married John D. Parker and had issue: i. John, m. Maria Maffitt, ii. Sara, iii. Margaret, m. Frank Deas and has issue Johnston Deas; iv. S. I. J. Parker; v. Caroline Ashe, m. Chas. Dexter.

(28) Caroline Athelia Burgwyn, dau. of No. 6, was born June 5, 1814, and on June 13, 1837 she married Thomas Samuel Ashe, later an Associate Justice of the Supreme Court of North Carolina.

Judge Ashe was born in Orange Co., N. C., July 21, 1812, and was the son of Paschal P. and Eliza *Strudwick* Ashe. He graduated from Chapel Hill in 1832 and read law under Chief Justice Ruffin, receiving his license to practise in 1836. He represented Anson County in the House of Commons in 1842, and in the Senate in 1854 and was Solicitor of the Judicial District in which he resided from 1848 to 1852. Judge Ashe became a member of the Confederate House of Representatives and was later elected a Senator of the Confederate States. In 1868 he was the democratic candidate for Governor of N. C. and in 1872 was elected a Representative to the U. S. Congress and re-elected in 1874. In 1878 he was elected Associate Justice of the N. C. Sup. Ct., and was re-elected in 1886. He was a vestry-man of Calvary Church, Wadesboro, N. C. for thirty-two years, and died at his home in that town at 11:45 A. M., Friday, Feb. 4th, 1887, in his seventy-fifth year.

"In the various relations of life, Judge Ashe, was excellent. Within the bosom of his family he was gentle and tender; among his friends he was courteous, generous and thoughtful of others

more than of himself; at the bar, he was able, conscientious and candid; on the bench, he was learned, patient and faithful. Seldom had such fine physical manhood been united with such sterling worth, superior ability and splendid character. He filled many places of public trust, and all with credit to himself and honor to the State. Called eight years ago to the highest judicial station, he wore the ermine with great dignity and acceptability and left in his opinions an enduring monument to his fame. Among his chief characteristics were a rare modesty, a high spirit of personal independence, a manly courage and inflexible virtue. His disposition was kindly; his impulses were chivalrous and noble, and his sentiments exalted;—candor and truth were the groundwork of his nature.” (From Memorial in 96 N. C. Reports, p. 536).

ISSUE: (94) John Henry King, d. y. (95) Sam, m. Margaret Devereux; (96) Eliza Strudwick, b. 1838, m. Mr. Hines and has one son. (97) Caroline; (98) Annie Ruffin; (99) Maria Nash; (100) Josephine Ashe (sing).

(31) Witherspoon Hasell Burgwin, son of No. 6, was born Sept. 20, 1818 at Hillsboro. In 1859 he married Nannie Robinson, of Charlotte Co., Va. Mr. Burgwin died Oct. 8, 1894.

ISSUE: (101) Mary, m. Mr. Joscelyn; (102) Hill, d. at 16 years of age; (103) J. H. K. Burgwin, now living at Wadesboro, N. C.

(32) Ann Maria Burgwin, dau. of No. 6, was b. June 21, 1821. She married Parker Quince, son of Richard Quince, and a grandson of Parker Quince, a worthy merchant of Wilmington, who became famous for his patriotic and humane efforts for the relief of the suffering people of Boston, whose port had been closed by British authority. In 1774 he furnished his ship to carry provisions to Boston, free of freight.

ISSUE: (104) Sara Priscilla Quince; (105) Geo. B. Quince d. y.; (106) Lizzie Quince, d. y.

(34) NATHANIEL HILL BURGWIN, son of No. 6, was born at the HERMITAGE, Feb. 21, 1825, and died Aug. 13, 1898 at HASEL HILL. From his earliest years he was gifted with an aptitude for acquiring and assimilating knowledge which was nothing short of marvellous. He commenced his

preparation for college at the age of eight years in the famous school of Wm. J. Bingham, Hillsboro, N. C., and at an early age took up the study of Latin. Five years later he was ready to enter the University of North Carolina, but this event was postponed because of his extreme youth, until 1840, when he entered and was admitted to the sophomore class. The highest honors of his class were awarded him, but he was unable to complete the course by reason of his ill health. When he attained the age of seventeen years he commenced the reading of law in the office of his brother-in-law, Judge Thos. S. Ashe, and subsequently with his uncle, Hon. Frederick Nash, later Chief Justice of the State. A considerable time before he attained his majority, Mr. Burgwin passed the examination for admission to the bar, but was not permitted to practise until he was 21 years of age. In 1847 he was admitted to full practice in the superior and supreme courts. In January of that year, he opened an office in Elizabeth City, where he was actively engaged in legal practice until 1851, when he removed to Pittsburgh, Pa., and practised until his retirement in 1890, at which time he was capably succeeded by his two sons, George and Augustus. Some of the most important cases which have ever been tried in the courts of Allegheny county have been won by Mr. Burgwin, and have formed precedents for other cases of a similar nature. As an instance may be mentioned the case of the County of Allegheny vs. Pittsburgh & Connelsville Railroad Co., which was a test suit involving \$100,000, and determined liabilities of more than \$1,000,000 for the defendant company. Mr. Burgwin represented the defendant and his defense was sustained by the court. Another notable case was that of Linton and wife vs. J. B. Neal, et al. This was a suit in equity brought by Mr. Burgwin, in the U. S. Circuit Court, the jurisdiction of that court being sustained as against the Orphan's Court of the State in settling all the accounts of the executors, guardians and trustees under the will of James Brown, of Kittaning, and finally distributed his large estate, both personal and real, the latter lying in many different States of the Union. For many years Mr. Burgwin was attorney for the Mechanics National Bank of Pittsburg and for the Pittsburg Marine National Bank. He was solicitor for the Dollar Savings Bank, was its oldest vice-

president, and the oldest member of its board of thirty-nine trustees. For many years he served as director of the Pittsburgh and Connelsville R. R. Co.

In political affairs, Mr. Burgwin had affiliated with the Whig Party in his younger years, but from Henry Clay's time, he had been independent in his political views. He represented Ward 23 in the Select Council of Pittsburgh from 1869 to 1875, having been elected on the Citizen's Ticket. While holding this office he was appointed chairman of a committee to select the site for a city park and the present site of Schenley Park was decided upon. For a time this project had to be set aside as the terms could not be agreed upon. Mr. Burgwin was an earnest worker in the interests of the church from his early years, and his activity continued throughout his life. He affiliated as a communicant with the Episcopal Church and in 1865 it was owing to his efforts that the Pittsburgh Diocese was created. The division of the Diocese of Pennsylvania formed a precedent which was immediately followed elsewhere. Mr. Burgwin was elected to represent his diocese at the General Convention in Baltimore in 1871, and from that time until his death was thus honored. He never abated in his efforts to further this good cause, was an active debater at the meetings, and served on the committee on canons continuously from 1871. He was a member, in 1880, of the joint committee of twenty-one bishops, priests and laymen, which was convened for the purpose of revising the book of common prayer, and later was one of the twelve appointed to form a committee to revise the Constitution of the General Convention. For many years he was consulted on questions relating to Canon Law, by clergymen and laymen alike, and he was influential in establishing the present church legislation. As chancellor of the Diocese of Pittsburgh, he rendered good service for many years, and was a foremost figure at its conventions.

Of Mr. Burgwin it may be truly said that he was as devoted in his family relations as he was sincere in his friendships. In professional life he was honest and generous, in private life he was sympathetic and helpful. In both phases of life he was actuated by the highest motives, and was incapable of any false

or unjust thought. Vigilant and attentive as an observer of men and events, his opinions carried weight and were of widespread influence. As an orator he had few equals. His language was eloquent and glowing, his vocabulary peculiarly rich and choice, and his manner of delivery never failed to bring the desired result. He was of distinguished appearance, his snowy hair, moustache and whiskers giving him a patrician and somewhat haughty look, which was tempered by the kindly expression of his eyes. The glasses which covered his eyes were never able to conceal the genial and cordial expression which they held beneath the high, intellectual forehead.

Mr. Burgwin married (first) Nov. 29, 1849, Mary, a daughter of Major Asher Phillips, U. S. A. She was a lineal descendant of Sir Nicholas Malby, the chief commander of the English forces in Connaught, Ireland, during the reign of Elizabeth, and also a descendant of Sir Richard Ormsby, Knight, who was the owner of estates in Lincolnshire, England. One of the descendants of John Ormsby, great-grandfather of Mrs. Burgwin, was born in Ireland in 1720, educated at Trinity College, Dublin, became paymaster in the Provincial and Colonial Armies and was holding that position at the time of the capture of Ft. Duquesne. His son, Oliver Ormsby, grandfather of Mrs. Burgwin, was a large land owner and furnished supplies from his furnace and forge for fitting out the Perry squadron for the Lake Erie expedition. Mrs. Burgwin died January 1, 1882. She was a member of the board of trustees of the Episcopal Church Home in Pittsburgh and a highly valued worker in the parish. Mr. Burgwin married (second) October 1, 1888, Susan Read, daughter of the Hon. Henry K. Nash, of Hillsboro, N. C.; grand-daughter of Chief-Justice Frederick Nash and a great grand daughter of Gov. Abner Nash.

ISSUE: (1st marriage) (107) George Collinson, b. Aug. 17, 1851, now a lawyer of 434 Diamond Street, Pittsburgh, Pa. (108) Henry Phillips, b. Apl. 23, 1854; (109) John Henry King, b. June 19, 1856; (110) Sarah Ormsby, b. Sept. 3, 1859; (111) Augustus Phillips, b. Dec. 1, 1860; (112) Mary, b. Oct. 21, 1862. Issue of 2nd. marriage: (113) Kenneth Ogden, b. March 23, 1890.

FIFTH GENERATION.

(42) Maria Greenough Burgwyn, dau. of No. 9 and granddaughter of No. 4, was born Sept. 21, 1839 and on Oct. 28, 1868 was married to T. Roberts Baker.

ISSUE: (41) Harry Burgwin Baker.

(43) Harry (Henry) King Burgwyn, son of No. 9, was b. Oct. 3, 1841. In 1851 he became a partial course student at the University of N. C.; graduating two years later in the studies he had selected, sharing with the best scholars the highest honors of his classes. His preparatory training was received at an academy or college at Bordenton, N. J., and partly at West Point where he was a student of Foster, later a general in the United States Army. His father, Henry King Burgwyn, in 1859, fearing the difficulties which later culminated in the War between the States and desiring his son be prepared for usefulness in every emergency placed him at Virginia Military Institute, where he remained until the breaking out of the war. "Early in the Spring of 1861 the cadet corps having been ordered to Richmond, Cadet Burgwyn, then in the graduating class, and sharing its highest honors and distinctions, fulfilled the duties of an important position under Gen. Smith, commandant of cadets, until he deemed it his duty to offer his services to the Governor of his own state. The following letter from the immortal "Stonewall" Jackson to the Confederate Secretary of War, gives that great general's estimate of Cadet Burgwyn:

Lexington, Va., April 16, 1861.

Sir: The object of this letter is to recommend Cadet H. K. Burgwyn, of N. C., for a commission in the artillery of the Southern Confederacy. Mr. B. is not only a high-toned Southern gentleman, but in consequence of the highly practical, as well as scientific character of his mind, he possesses qualities well calculated to make him an ornament not only to the artillery, but to any branch of the military service.

T. J. JACKSON.

Prof. Nat. Phil. and Instr. V.M.I.

To L. P. Walker, Secretary of War."

In July, 1861, Gov. Ellis, of N. C., made Burgwyn, not yet 21 years of age, commandant of the Camp of Instruction at Crab Tree, three miles from Raleigh, where the 26 Regt. N. C. S. T. was mobilized. On Aug. 27, '61, Major Burgwyn was elected Lieut-Col. of the regiment. Lt.-Col. Burgwyn was essentially a worker in camp. He was every inch a soldier and the martial spirit which so deeply imbued him enthused every one around him. He never tired and was unremitting in his arduous labors. Eight hours a day he drilled his men in the various schools of the soldier and his constant endeavor was to keep his regiment in the highest state of efficiency and discipline. No colonel was ever more careful of the comfort and convenience of his men and though unpopular for awhile (before he had been in battle) on account of his strict discipline, after the Battle of Newbern he had the entire confidence of his men and was their pride and love. During the retreat across Bryce's Creek and while the Federals were closely pursuing, an officer fearing Col. Burgwyn's capture, urged him to get into the boat first. He was answered: "*I will never cross until the last man of my regiment is over!*" Nor did he 'till the last man was over. At the reorganization of the regiment for the war he received practically a unanimous vote for Lt.-Col.

Vance was elected Governor of N. C. in August, 1862, thus leaving a vacancy in the colonelcy of the 26th Regiment. Gen. Ransom to whose brigade the regiment was attached, opposed the promotion of Lt.-Col. Burgwyn saying: "*I want no boy colonel in my brigade.*" His opposition was indignantly resented by the regiment and application was made and granted for its transfer to some other brigade. One of the regiment referring to the election of Vance as governor and mourning his consequent separation from them says: "But in the promotion of Lt.-Col. Burgwyn to the colonelcy of the regiment, we have gained an officer, young, gallant and brave and eminently fitted to fill the vacancy." This same writer, speaking of the transfer of the regiment to Pettigrew's Brigade writes: "Never was there a more fortunate change. It seemed as if Pettigrew and Burgwyn were made for each other. Alike in bravery, alike in action, alike in their military bearing, alike in readiness for battle and

in skillful horsemanship, they were beloved alike by the soldiers of the 26th. Each served as a pattern for the other, and in imitating each other they reached the highest excellence possible of attainment in every trait which distinguishes the ideal soldier."

During the march to Gettysburg some of the men of his regiment robbed a few bee hives in disobedience of orders and this being made known to Col. Burgwyn he sought the farmer and paid them for it.

In describing the battle of Gettysburg, a writer states: "As the head of the 26th Regiment reaches the summit of the hill beyond the bridge crossing Marsh Creek, the enemy opens fire, sweeping the road with their artillery. There is some little excitement, but it soon disappears as Col. Burgwyn, riding along the line in his grandest style, commands in his clear, firm voice, 'Steady, boys, steady!'"

Surgeon Geo. C. Underwood, describing the heroic charge of the 26th regiment at Gettysburg, says: "The 26th was the extreme left regiment of Pettigrew's brigade. It directly faced McPherson's Woods and in front about covered the width of the woods. The Iron Brigade occupied these woods * * * Directly in our front, across the wheat field was a wooded hill (McPherson's Woods). On this hill the enemy placed what we were afterwards informed was their famous 'Iron Brigade.' They wore tall, bell crowned hats, which made them conspicuous in the line. The sun was now high in the heavens. Gen. Ewell's corps had come up on our left and had engaged the enemy. Never was a grander sight beheld. The line extended more than a mile, all distinctly visible to us. When the battle waxed hot, now one of the armies would be driven, now the other, while neither seemed to gain any advantage. The roar of artillery, the crack of musketry, and the shouts of the combatants, added grandeur and solemnity to the scene. Suddenly there came down the line the long waited command, 'Attention.' The time of this command could not have been more inopportune, for our line had inspected the enemy and we well knew the desperateness of the charge we were to make, but with the greatest quickness the regiment obeyed. All to a man were at once up and ready, every officer at his post, Col. Burgwyn in the center.

“Col. Burgwyn fell on July 1, 1863 while leading this charge of his regiment. The colors of the regiment had been shot down ten times and the color guard all killed or wounded, when Capt. McCreery, seizing the flag, waves it aloft and advancing to the front is shot through the heart and falls, bathing the flag in his life’s blood. Lt. Geo. Wilcox now rushes forward, and pulling the flag from under the dead hero, advances with it. A moment later he falls with two wounds. The line hesitates; the crisis is reached—*the colors must advance*. Telling Col. Lane of the words of praise (“Your regiment has covered itself with glory today”) just heard from their brigade commander, with orders to impart it to the men for their encouragement, Col. Burgwyn seizes the flag from the nerveless grasp of the gallant Wilcox, and advances, giving the order: “Dress on the colors.” Private Hunnicutt, Co. ‘B’, rushes from the ranks and asks the honor to advance the flag. Turning to hand the colors to this brave young soldier, Col. Burgwyn is hit by a ball on the left side, which, passing through both lungs, the force of it turns him around and falling, he is caught in the folds of the flag and carries it with him to the ground. The daring Hunnicutt survives his Colonel but a moment and shot through the head, now for the 13th time the regimental colors are in the dust. Kneeling by his side Lt. Col. Lane stops to ask: ‘My dear Colonel, are you severely hurt?’ A bowed head and motion to the left side and a pressure of the hand is the only response; but he looked as ‘pleasantly as if victory was on his brow.’ As the enemy were giving away and retiring Col. Lane at the head of the regiment cheering his men onward and waving the colors aloft was wounded—for the fourteenth and last time the colors are down.” Col. Burgwyn was shot bearing the colors of his regiment and fell with his sword in his hand, cheering his men on to victory. The ball passed through the lower part of both lungs and he lived about two hours. Among his last words he asked how his men fought and said they would never disgrace him. He died in the arms of Lt. Young after bidding all farewell and sending love to his mother, father and sisters and brother. His last words were “*Tell the General my men never failed me at a single point.*” The body of Col. Burgwyn was

buried on the field under a walnut tree, a gun case answering for a coffin. In the spring of 1867 his remains were brought from Gettysburg and re-interred at the Soldiers' Cemetery in Raleigh where a handsome monument erected by his parents marks the grave.

"Born in affluence, nor obliged to toil, early in life he realized that without labor nothing was worth having. And what he did he did thoroughly. He loved to work and believed by so doing he was best serving his Maker. Truthful and courageous, high-toned and honorable, honest in all his dealings, courteous and gentle, he was universally beloved by his associates at school and at college. In appearance he was the very embodiment of manly beauty. Well made, symmetrical in figure, without superfluous flesh, tall, erect, with his fine head well poised on his shoulders, he was in every respect the ideal soldier.

"In his daily life he was gentle yet sprightly, fond of social amenities, kind-hearted and ever courteous in manner and bearing, he was inflexibly stern and impartial in the discharge of duty. In his intercourse with women he was eminently chivalric in an age of chivalric men.. None could be gentler, more attentive, more courteous than he. No paladin in mediaeval days bore himself with more knightly grace. He constantly sought the company of the gentler sex, believing that the atmosphere of a refined society was a strong safeguard against those evils which young men are so strongly tempted to embrace. He had none of those vices so common to young men of that or this day.

"He was as pure in mind as a young virgin. His filial affections were beautiful to contemplate. His high respect and reverence for his father, and deep love and veneration for his mother were conspicuous traits in his character. Their slightest wish was a law unto himself which he obeyed with alacrity and pleasure. In religious matters he was a member of the Protestant Episcopal Church and showed forth his religion in his daily life. His was in all respects a beautifully rounded character." (From Address of John B. McRae.)

(44) William Hyslop Sumner Burgwyn, son of No. 9, and his wife Ann Greenough, was born July 23, 1845, at the home of Gen. W. H. Sumner, near Boston. His maternal grand-mother

was the eldest daughter of David Stoddard Greenough (b. March 27, 1787, d. Aug. 6, 1830) and his wife Maria Foster Doane (b. Jan. 2, 1793) whom Mr. Greenough married June 14, 1813. Mr. Burgwyn's father was of an old English family which had lived in the Cape Fear since 1730 and on both sides he was a lineal descendant of Jonathan Edwards.

Mr. Burgwyn passed his early youth at THORNBURY, a plantation owned by his father, on the lower Roanoke in Northampton, Co., N. C. There he was instructed by private tutors and later attended school at Chestnut Hill, Baltimore, Md. From there he went to Georgetown College, D. C. and in 1860 entered the University of North Carolina but was forced to leave this latter institution in 1861 owing to illness. That same year he entered as a cadet at the Hillsboro Military Academy and at its close was appointed drill master at the Camp of Instruction near Raleigh. His strict attention to every phase of military duty and his fine deportment so commended him to his superior officers that he was elected a lieutenant in "Co. H." 35th N. C. At the battle of Sharpsburg his conduct was meritorious and he received the especial notice and commendation of his superiors for seizing the flag and rallying the regiment at a critical period of the battle. He participated in all the battles in which the 35th N. C. engaged and was later promoted to the captaincy of his company. In January, 1864, he was assigned to duty as Asst. Adj. Gen. on the staff of Brig.-Gen. Clingman. Capt. Burgwyn was badly wounded in the charge at Cold Harbor, May 31, 1864 and at the battle of Fort Harrison, Sept. 29, 1864, was captured and taken to Ft. Delaware, being released in the Spring of 1865. After the close of the War he again entered the University of N. C. and three years later graduated at the head of his class. In 1869 he entered the Law School of Harvard University and graduating in 1870 began the practise of law in Baltimore. While practising law here he compiled a Digest of the Opinions of the Supreme Court of Appeals of Maryland a work which elicited the hearty commendation of his brethren of the bar as well as the judges on the bench. In 1880 he was elected colonel of the 5th Maryland Regiment.



WILLIAM HYSLOP SUMNER BURGWYN
(From a Photograph in 1896)

Always attached to North Carolina, in 1882 he moved to Henderson and established the Bank of Henderson, becoming its first president. For eleven years he did all in his power to promote the interests of his adopted home. In the year 1893 he was offered and accepted the position of National Bank Examiner, having as his territory most of the Southern States. At the breaking out of the Spanish-American War he was appointed to the colonelcy of the 2nd Regiment North Carolina Volunteers by Gov. Russell and although this regiment never left America it was admirably prepared for active service and it has been stated that no finer body of troops was ever enlisted in North Carolina.

Col. Burgwyn moved to Weldon, N. C. in 1901 and established the First National Bank of Weldon and became its president. He also established the First National Bank at Rocky Mount, the First National Bank of Roanoke Rapids, the Bank of Northampton at Jackson, the Bank of Rich Square, the Bank of Halifax and the Bank of Ayden.

From his early youth Col. Burgwyn was a communicant of the Protestant Episcopal Church and for many years taught in the Sunday Schools of the various parishes with which he was connected. He was frequently a delegate to the Diocesan Convention and in 1886 and 1889 was elected one of the lay delegates to represent his diocese in the general convention of the church.

Col. Burgwyn was selected by Chief Justice Walter Clark to prepare sketches in the Regimental Histories of the 35th N. C. and Clingman's Brigade. He was greatly interested in the welfare of his former comrades in arms and was a prominent figure at all their reunions and all of his Confederate Addresses prove an intense desire on his part to establish once and for all time the heroic part taken by the State Troops of North Carolina in the War between the States.

On Nov. 21, 1876, Col. Burgwyn married Margaret Carlisle, the lovely and accomplished daughter of the late James and Ann (Dent) Dunlop, of Richmond, Va. For more than thirty-five years this noble woman was his constant companion and helpmeet, sharing in his joys and triumphs and sustaining him by her sweet Christian fortitude in all his adversities and misfor-

tunes, and serving at all times to make his home bright, cheerful and hospitable.

In social life Col. Burgwyn was the soul of exquisite courtesy, urbanity and gentleness of manner. These, and his never failing hospitality and his magnificent career as a soldier will long be remembered by those whom he esteemed and loved. As was said by the Raleigh News & Observer, Jan. 4, 1913: "Throughout the State there will be sincere regret at the news of the death of Col. W. H. S. Burgwyn, of Weldon, one of a family whose record has added lustre to the name and fame of North Carolina.

"Col. Burgwyn was a man noted for his courtliness of manner, and for the warm friendships which were a part of his nature. His record is that of one of the State's truest and best sons, and in each tribute that is paid him it will be said that he was a devoted son of North Carolina, striving for the best for its interests. He was, in very truth, a gallant gentleman and true. North Carolina is the better for his living—the loser because he has been called away."

In the early morning of Jan. 3, 1913, Col. Burgwyn, died at the home of his nephew in Richmond, Va. The body was taken to Raleigh, N. C. and on Sunday evening, January fifth, the funeral was held from Christ Episcopal Church and was attended by a large concourse of sorrowing friends from all parts of North Carolina. After the services at the church the long and sorrowing procession marched to the Confederate section of the Raleigh Cemetery and there, beside the remains of his gallant brother Col. Harry Burgwyn who was killed at the head of his regiment at Gettysburg, all that was mortal of North Carolina's loved son was laid to rest. (Abridged from Sketch by John B. McRae in Roanoke-Chowan Times, Feb. 13, 1913).

(47) George Pollok Burgwyn, son of No. 9 and the grandson of No. 4, was born May 19, 1847, at "Hillside Plantation" on the Roanoke River. He was educated at the school of Jas. Horner at Oxford, N. C. and afterwards attended Georgetown (D. C.) College. In 1863 he matriculated at the University of his native state. Remaining there but a short time he served on the personal staff of Gen. Ransom. On account of

his extreme youth his father withdrew him from the army and placed him at the Virginia Military Institute at Lexington and in the Spring of 1865 he accompanied the corps of cadets to Richmond where they occupied the advance lines of that city until its evacuation. In 1876 Mr. Burgwyn took charge of his father's large planting interests on Roanoke River and he soon became one of the largest and most prosperous planters in that section of the State.

On May 27, 1869 Mr. Burgwyn married Emma Wright, dau. of the late Col. Thos. Ridley of Southampton Co., Va. Their home at the "Hillside" and later on in Jackson was the seat of that generous open-hearted hospitality that always characterized the old families of the South. Their friends were met at the threshold with a warm welcome, and made to feel thoroughly at home. Mrs. Burgwyn died in January, 1893 and since that time Mr. Burgwyn had resided in Jackson. He held to the principle of ethics that it is the duty of every good citizen to take an active part in public affairs, and throughout his life he lived up to this principle. In his private life, Mr. Burgwyn was a dutiful son, a loving husband, an affectionate father, a good neighbor, and a warm friend. He was indeed a kind-hearted, sympathetic man, and ever ready to respond to calls for the cause of charity. He was a true and kind friend to the colored people, and by his death they have lost one of their best friends. (From Roanoke-Chowan Times, Feb. 14, 1907).

ISSUE: (115) Ann Greenough, d. y.; (116) Thomas R.; (117) Henry King Burgwyn married Page Cawthorne; issue, Frances Page Burgwyn b. 1909. (118) George Pollok; (119) Maria Greenough and (120) W. H. S. Burgwyn, twins.

(48) John Alveston Burgwyn, son of No. 9, was born July 5, 1850, died March 6, 1898, at the age of forty-eight years. "He was a man of most excellent traits of character and was held in high esteem by all who knew him. Mr. Burgwyn had for more than seven years been Treasurer of his county and the faithfulness, fidelity, satisfaction and uniform courtesy with which he discharged his duties is attested by the resolutions adopted by the Board of Commissioners of Northampton: 'That the discharge of his duties has been characterized with such

faithfulness, such absolute accuracy of accounts, such promptness in the payment of county obligations, and above all with such politeness and kindness to every one, in his death the people of Northampton County, without regard to politics, race, craft or condition have sustained a loss which it will be difficult, if possible, to repair or replace. He was a consistent member of the Episcopal Church and a lay reader in the Church of the Saviour at Jackson. He was faithful and conscientious in all the affairs of life, and the immense concourse of people in attendance at his burial is evidence of the hold he had upon the hearts and affections of all classes of the people of Northampton County.'” (Henderson Gold-Leaf, March 17, 1898).

(50) Georgena Rebecca Moore, dau. of No. 15 and grand-daughter of No. 5, was b. at Ft. Johnston, near Smithville, N. C. Jan. 17, 1822. On Apl. 28, 1842, at Tuscaloosa, Alabama, she was married to Joel Riggs. Mr. Riggs was the son of Zadock and Ann *Fleming* Riggs and was b. Apl. 30, 1812. After Georgena Riggs' death at Montgomery on Dec. 29, 1851, Mr. Riggs married on the 26th of June, 1862, Elizabeth Martha Jones. He died in October, 1886 without issue by his second marriage.

ISSUE: (1st) marriage, (121) William Crutcher, b. Dec. 25, 1842, d. March 26, 1849; (122) Eliza Moore; (123) James b. May 28, 1845, d. May 28, 1846; (124) Junius Alexander, b. March 24, 1847, d. Dec. 5, 1849; (125) Ann Fleming, and (126) Junius Moore Riggs.

(51) Caroline Sophia Moore, dau. of Junius Alexander and Eliza *Clitherall* Moore, and a grand-daughter of Dr. George Campbell and Caroline Burgwyn Clitherall, was born at Smithville, N. C. May 8, 1824. On April 10, 1844, at the home of her uncle Mr. Samuel Strudwick, of Arcola, Alabama, she was married to Dr. Marshall Henry Bird, a son of General Bird of North Carolina who during the second war with Great Britain commanded a regiment of troops raised from Hillsboro, N. C. and the adjoining back country. He is said to have been a man of giant strength and the physical superior of any of his neighbors for miles around. Dr. Bird practiced his profession successfully. His amiable disposition, courtly bearing and polished

manners endeared him to all and he was loved by both whites and blacks for his generous and sacrificing nature. He was the happiest when serving his fellow-men and alleviating their wants and sufferings. He was a devoted husband, a tender and generous father and his untimely death, March 17, 1851, was sincerely lamented by all who had come to know and love the gentle and kind young physician. Mrs. Bird lived over a half century after her husband's death. Exemplary as a wife, tender and affectionate as a mother, warmly sincere as a friend, a consistent Christian, full of gentle sympathies and abounding charity, she filled the home of her daughter with all the light, life and love, whichever bless the presence of a true and virtuous woman. The last twenty-five years of her life were spent in Montgomery, Ala., at the home of her daughter, Gena, Mrs. Thos. Goode Jones, and here on January 9th, 1903, surrounded by her children and grandchildren, to whom she had so generously dedicated her life, her sweet and pure soul winged its flight to greet him who fifty years before had passed from the sight of men..

ISSUE: (127) Georgena; (128) Martha Sophia, b. Oct. 17, 1848 d. at Montgomery, Ala., July 12, 1813 (single).

(55) Elizabeth Forbes Burgwyn Clitherall, dau. of No. 20, was born July 29, 1838 and was married on Sept. 1, 1863 to Dr. Alexander Powe Hall. She died Sept. 25, 1872.

ISSUE: (129) Hattie Clitherall Hall.

(56) Annie E. Battle, dau. of No. 21, and grand-daughter of No. 5, married John Scott in 1854 and had issue (130) Annie, b. March 4, 1859.

(63) George C. Jones, son of No. 22 and grandson of No. 5, was born in 1838. He married Octavia Owen and died in 1866, without issue, from wounds received at the Battle of Chicamauga.

(64) Eliza Clitherall Jones, dau. of No. 22 was b. in 1840. She married Captain Lewis Neill Huck, C. S. A. and is now living at Spring Hill, near Mobile, Alabama.

(65) Harvey Ellis Jones, son of No. 22 and grandson of No. 5, was b. at Tuscoloosa, Alabama, on April 28, 1842. He obtained his education in the private schools of Mobile, taking

College Courses at St. James College, Maryland, and the University of Alabama, 1858-9, but he was not graduated. He was for a while engaged as a clerk and also as a school teacher. He entered the Confederate Army on Apl. 28, 1861, as 2nd Sergeant of "Co. E.", Third Ala. Regt. He rose to be lieutenant in the same company, and captain and assistant adjutant general of General Gracie's Alabama Brigade and at the Battle of White Oak Road in Va. he lost his right leg on March 31, 1865. Harvey E. Jones was assistant adjutant general of the Alabama National Guard, 1894-96. He was recording secretary to Gov. Thos. G. Jones, 1890-94 and private secretary to Gov. Wm. C. Oates, 1894-5. He was associate Railroad Commissioner of Alabama from 1895 to 1899. In 1901 he was appointed by Gov. Wm. J. Samford as State Tax Commissioner. Col. Jones is a gentleman of most pleasing manners, bearing the unmistakable air of the cultured Southerner, and showing in modest reserve the genuine temperament of the brave Confederate soldier. A single instance will indicate his kindness of heart and his thoughtful courtesy. During the Confederate Re-Union in Montgomery, in 1902, an old soldier, dressed in the Confederate uniform, was given an opportunity to speak from the rostrum. The old hero became so warmed in his subject that he spoke far beyond his allotted time, and the chairman called him down. Under some embarrassment he took his seat and the vast audience broke into laughter. Col. Jones immediately arose, walked to the old soldier, congratulated him and removed his embarrassment. In all the relations of life Col. Jones measures to the full appreciation of his countrymen. (From Notable men of Alabama, Vol. I, p. 213). Col. Jones served as State Tax Commissioner, having been reappointed by Acting Governor Cunningham, until early in 1907 when that office was abolished. He was then appointed by Gov. B. B. Comer a member of the State Tax Commission, serving until about March, 1911. Since the formation of the Alabama Division, United Confederate Veterans, in 1893, Col. Jones has served as Adjutant and Chief of Staff to the Commander, and in October, 1912, he was elected Major General and is now in command of the Alabama Division U. C. V. Col. Jones also served as an alderman of the Town of

Capitol Heights from 1910 to 1912 and on April 1, 1911 he was appointed by Judge Thos. G. Jones, Clerk of the United States District Court for the Middle District of Alabama, which position he now fills.

On Nov, 24, 1869, at Spring Hill, Ala., Col. Jones married Marion Wilmer, daughter of Richard Hooker Wilmer, Second Bishop of the Protestant Episcopal Church in Alabama, and one of the most beloved citizens of the State. Bishop Wilmer was b. at Alexandria, Va., March 15, 1816, and was the son of William Holland Wilmer, who was b. in Maryland, Oct. 29, 1782, the latter being one of three brothers all of whom entered the ministry of the Protestant Episcopal Church. Rev. W. H. Wilmer married Marion Hannax Cox, of New Jersey. Bishop Wilmer, on Oct. 6, 1840, married Margaret Brown, of "Belmont," Nelson County, Va., youngest daughter of Gen. Alexander Brown and his wife Lucy Shandon Rives who was the daughter of Robt. Rives and his wife Margaret J. Cabell. Bishop Wilmer died at Mobile, Ala., June 14, 1900 and is buried there.

Mrs. Marion Wilmer Jones, is thus descended from King Robert Bruce of Scotland through her maternal grandfather, and through her maternal grandmother from Lt.-Col. William Cabell, High Sheriff of the Colony of Virginia and a member of the House of Burgesses. She is a member of the Daughters of the Order of the Crown, the Colonial Dames, the Daughters of the American Revolution and the United Daughters of the Confederacy, in the labors of all of which societies she has taken an honored and useful part. It was mainly through her efforts that the State of Alabama purchased the site of Old Fort Toulouse and that the Colonial Dames of Alabama erected there a handsome monument.

ISSUE: (131) Richard Wilmer; (132) Madeline Clitherall; (133) Harvey Ellis, Jr.; (134) George Hurxthal; (135) William Fitzhugh; (136) Alexander Burgwyn, b. Nov. 21, 1882 d. 1912; (136) John Stewart.

(67) Netta Battle, dau. of No. 22, and her 2nd husband, J. A. M. Battle, was b. Dec. 24, 1853, and was married at Winchester, Va. on Nov. 30, 1878 to Phillip William Fauntleroy,

b. Jan. 9, 1852, the son of Thos. Turner and Ann *Williams* Fauntleroy. Residence: Jacksonville, Fla.

ISSUE: (138) Frank Battle, b. June 25, 1880; (139) Madeleine Clitherall, b. July 19, 1882; (140) Netta Battle, b. Apl. 27, 1884; (141) Zide Louise, b. Feb. 26, 1887; (142) Thomas Turner, b. Dec. 15, 1890; (143) Phillip William, Jr., b. Jan. 19, 1897.

(69) John Scott Battle, son of No. 22 and J. A. M. Battle, was b. June 1, 1859. On April 18, 1889, he married Zoe Faribault.

ISSUE: (144) Richard Faribault Battle, b. March 18, 1900.

(70) Walter Granden Battle, son of No. 22 and J. A. M. Battle, was b. at Tuskegee, Alabama, Jan. 17, 1864. He was married Sept. 17, 1890 to Lutie Kimball, dau. of George W. and Helen R. Kimball. Mr. Battle lives at St. Louis, Mo., where for the past seventeen years he has been connected with the James Clark Leather Co., of which company he is now Sec. and Treas. He is a member of the Royal Arcanum, and of St. Peter's Episcopal Church and in politics he is a Democrat.

ISSUE: (145) George Kimball, b. July 24, 1896; (146) Helen Kimball, b. Aug. 22, 1899.

(76) Minnie Clitherall, dau. of No. 23, was born Jan. 23, 1853. She married Frank Gilmer Taylor and is now living at Montgomery, Alabama.

ISSUE: (147) J. Hunt Taylor m. Grace Morgan, and has two children; (148) Clitherall Taylor; (149) Willie John Taylor.

(77) Mattie Clitherall, dau. of No. 23, was b. Feb. 13, 1855 and was married at Montgomery, Alabama, on the eighth of January, 1873 to William Edward Ellsberry, who was b. Jan. 5, 1852, and is the son of Jas. H. and Francis *Gleeson* Ellsberry. Mr. and Mrs. Ellsberry live near Montgomery, on the Woodley Road, where they have a splendid farm.

ISSUE: (150) Kate; (151) Bessie; (152) Clitherall; (153) Arthur Davis, b. Apl. 17, 1887 an electrical engineer and graduate of the Alabama Polytechnic Institute. He is a member of the Alpha Tau Omega Fraternity and lives at Charleston, W. Va. (154) William Edward, Jr., b. Nov. 3, 1889, a graduate

of the Alabama Polytechnic Institute, a successful planter, member of the A. T. O. fraternity.

(78) Allie Burgwyn Clitherall, dau. of Alexr. B. and Kate *Hayes* Clitherall, was b. at Carrollton, Pickens Co., Alabama, Aug. 16, 1858. She was married at Montgomery on March 30, 1875 to George Anthony Birch, son of Edmund and Margaret Douglas Birch. He was born at Talbatton, Ga., and died at Montgomery, Alabama, Apl. 11, 1897.

ISSUE: (155) Edmund Pendleton, d. y. (156) Alexander Clitherall; (157) Kate Clitherall.

(80) George Burgwyn Anderson. (From the sketch by Major Seaton Gales, in the September, 1875, issue of "Our Living and Our Dead.") "An unsullied honor, a record that shall be immortal, and a grateful and affectionate remembrance of her martyred sons, are much that are left to the South from the wreck of the great Civil War. That honor, no prejudice or malignity can successfully assail or ever tarnish. That record of heroism and devotion shall grow in lustre as the years advance, and be the theme of song and story in years that are yet to come. And that love and veneration for the noble dead will live and intensify until the present generation sleeps in the dust, and then our children and our children's children

Shall revive their names, and in fond memories
Preserve and still keep fresh, like flowers in water,
Their glorious deeds.

"Lavish as have been her offerings, North Carolina has rarely made a richer contribution to fame and history, than when George Burgwyn Anderson left them the legacy of his bright young name and example. It shall be the object of this imperfect sketch to tell his services and to commemorate a life that was as admirable while it lasted, as it was glorious in its conclusion. George Burgwyn Anderson was born in Orange County, within one mile of Hillsboro, on the 12th day of April, 1831. His father was William E. Anderson, a brother of Chief Justice Walker Anderson of Florida, and best known as the faithful and intelligent cashier for many years of the Branch Bank of the

State at Wilmington. His mother, Eliza, (No. 24) was the daughter of George Burgwyn (No. 6) of the HERMITAGE in New Hanover—the head of a family graced by all the qualities which adorn society. As a boy he was remarkable for the brightness of his intellect, his amiable and cheerful disposition—manly deportment and studious habits—the same qualities which in after life, characterized him in so remarkable a degree. He matriculated at the University of North Carolina in 1847, joining the sophomore class of that year. He entered West Point Military Academy in 1848 and graduated in 1852, ninth in his class. In 1857 he became adjutant of the Second Regiment of Dragoons, U. S. A. On the 8th of November, 1859 he was married to Miss Mildred Ewing. The following Spring Capt. Burgwyn received the recruiting detail and was stationed in Louisville, Ky., until 1861, when he resigned his commission in the United States Army and hastened to North Carolina to link his fortunes with those of his native State. *He was the first officer of the old army, then in service, who proffered his sword and his life to North Carolina.* True to the patriotic and filial instincts of his great heart he rushed to the defense of the dear land of his nativity and affections. Arriving in Raleigh, he was commissioned by Gov. Ellis as Colonel of the Fourth Regiment, N. C. S. T. on the 18th of May, 1861. At the Battle of Seven Pines, May 31, 1862, in the absence of Gen. Featherston, he commanded the brigade, which consisted of the 49th, Va., 27 and 28th Ga. and the 4th N. C. The latter carried into action 520 men; 86 were killed and 376 wounded. Of the 27 officers on duty, 24 were either killed or wounded. Col. Anderson behaved so gallantly that he was commissioned a Brigadier General on the 9th of June, 1862. The brigade assigned to him was composed of the 2nd, 4th, 14th and 20th Regts. N. C. S. Troops. At Sharpsburg, while directing his men Gen. Anderson was wounded. During an assault of the enemy, in which a large part of Hill's Division fell back through a mistake in conveying orders, Gen. Anderson and his men nobly held their line, until he was struck by a ball in the foot near the ankle, which brought him to the ground. It was a most painful injury, and he suffered great agony in being carried to Richmond and thence to Raleigh,

where finally an amputation was made. He sank under the operation and died on the morning of October 16, 1862. Gen. Anderson was buried in the City Cemetery. The funeral was one of the most imposing ever witnessed in Raleigh. The old flag which waved above him at Seven Pines, was borne on its shattered staff in the cortege, and attached to the saddle on his horse, was the sword which he wore when he received the fatal wound. This sword was once the property of his gallant uncle, Capt. J. H. K. Burgwyn, and was on his person when he fell bravely fighting at the battle of Pueblo de Taos, in Mexico. Had he been spared he would undoubtedly have attained the highest distinction. But a death in defense of honor and country is equal to a lifetime of glory, and when North Carolina makes up her roll of honor—as she must and will do when calmer times supervene—full justice will be done to his memory. Surveying in mournful and grateful retrospect, the long catalogue of dead heroes who have illustrated her name in history, she will dwell with peculiar pride upon the life and services of George Burgwyn Anderson.”

(97) Caroline Burgwyn Ashe, dau. of No. 28 and Thos. S. Ashe, married James Alexander Lockhart and died in 1904.

ISSUE: (158) Margaret Ashe m. H. H. McLendon, a lawyer and had issue Caroline Ashe McLendon; (159) Geo. Burgwyn m. Rosa Bland and has issue, two sons: George and Trezevant; (160) James Alexander Lockhart; (161) Sebor Smedes, postmaster at Wadesboro, N. C. (162) Ashe Lockhart; (163) Caroline Burgwyn Lockhart.

(98) Annie Ruffin Ashe, dau. of No. 28 and Judge Thos. S. Ashe, married, Nov. 28, 1860, Richard Henry Battle, a prominent lawyer and son of William Horn Battle, LL. D. and his wife Lucy Martin Plummer. Mr. R. H. Battle is a brother of Kemp. Battle, of the Faculty of the University of North Carolina. Mrs. Annie Ashe Battle died in July, 1883.

ISSUE SURVIVING: (164) Louis J. Battle, M. D., b. 1865, m. Ida Polkingham and has issue: (a) Mary, (b) Richard, (c) Mildred; (165) Edmund Strudwick, b. 1872, m. Della Clark and has issue: (a) Annie Ashe and (b) Richard Henry; (166) Caroline Burgwyn Battle, m. William Still of Charlotte and

has issue: (a) Richard Battle Still; (167) Rosa Battle, m. Dr. Robert Miller and has issue: (a) Annie B. Miller.

(99) Maria Nash Ashe, daughter of Thomas Samuel and Caroline *Burgwyn* Ashe and grand-daughter of George William Bush *Burgwyn*, married in November, 1866, James C. Marshall. Mr. Marshall attained his majority, received his diploma at Chapel Hill and entered the Confederate Army on the same day—June 4, 1861. He saw active service in Virginia and soon after going in was made adjutant of the 14th N. C. Troops, participating in most of the big battles in Northern Virginia and the early ones in Maryland. Mr. Marshall was taken prisoner at Fisher's Hill in the fall of 1864. He now lives at Wadesboro, N. C. Mrs. Marshall takes great interest in all that concerns the welfare of her family and community and is esteemed and loved by all who know her. She is a devoted and affectionate wife and a generous and sacrificing mother. Mrs. Marshall is deeply interested in family history and genealogy and her patient and generous responses to the many letters of the writer of this volume have done much towards making it complete and some of the most interesting and valuable facts herein have been supplied by her and the use of books kindly loaned by her.

ISSUE: (168) Thomas Ashe Marshall, m. Mirta Monsalratge; (169) William Lockhart Marshall, m. Rosalie Monsalratge and has issue: Wm. L. Marshall Jr.; (170) Maria Nash Marshall, b. Jan. 6, 1873, d. Dec. 12, 1895; (171) Ethel Marshall, m. June, 1904, H. I. DePass and has issue: (a) Flora Mitchell, (b) Maria Ashe, (c) Lily, (d) Ethel.

(104) Sarah Parker Quince, dau. of No. 32, was b. June 6, 1823. She married Capt. John Maffitt and had issue: (172) Florrie Maffit who m. Mr. Armstrong and has three children; (173) Maria B. Maffit, m. John J. Parker and has one child; (174) Sara Maffit, (sing.)

(114) Harry *Burgwyn* Baker, son of No. 42, and T. Roberts Baker, m. Jeanette Long.

ISSUE: (175) J. A. B. Baker, b. 1912.

(118) George Pollok *Burgwyn*, son of (47) George Pollok and Emma *Ridley* *Burgwyn*, was born at "Hillside Plantation",



GEORGE POLLOK BURGWIN

Northampton County, N. C., July 10, 1878. He received his early education in the local schools, of his county and later studied under the Rev. B. S. Bronson at Warrenton. In 1891-3 he attended the school of the Va. Mechanics Institute, (Richmond) and in 1896 attended the University of North Carolina at which institution he was initiated into Zeta Psi Fraternity.

On Feb. 10, 1904, Mr. Burgwyn married Emily Bartlett, (b. Dec. 31, 1880) dau. of Mr. Bartlett Roper, of Petersburg, Va. Of this union three children were born.

An Episcopalian by birth and inclination, Mr. Burgwyn early identified himself with that church. His high character and faithful observance of all the duties which mark the Christian gentleman, united with his loyal devotion to the church of his ancestors, have won for him the love and esteem of his fellow churchmen and since 1907 he has served as a vestryman in the Church of the Saviour at Jackson and for the past two years has been a lay reader.

Mr. Burgwyn for the past four years has held the position of Secretary of King Solomon Lodge No. 56 A. F. and A. M. In 1909, 1910 and 1913 he was a member of the Town Commissioners of his native city, efficiently and faithfully performing the duties of this office to the satisfaction of all. Modest and unassuming in manner; refined in taste, courteous and frank in his bearing; cheerful and amiable in his disposition, he is greatly respected by all who know him. The kindness of his heart, his large-hearted liberality and disinterested devotion to his fellowmen steal allegiance from every heart and command the devoted attachment of all who are fortunate enough to be within the circle of his personal acquaintanceship.

ISSUE: (175) Emily Roper Burgwyn, b. Jan. 10, 1905; (176) George Pollok Burgwyn, Jr., b. July 3, 1906; (177) Bartlett Roper Burgwyn, b. May 29, 1909.

(119) Maria Greenough Burgwyn, dau. of No. 47, married in 1910 Dr. W. T. M. Long and has issue: (178) Bettie Gray Long, b. 1912.

(120) W. H. S. Burgwyn, son of No. 47, was b. in 1886 and married Josephine Griffin.

(122) Eliza Moore Riggs, dau. of No. 50 and Joel Riggs, was b. July 17, 1844. At Selma, Ala., Aug. 30, 1864, she was married to B. J. Tarver.

ISSUE: (179) Carrie Bird Tarver.

(125) Ann Fleming Riggs, dau. of No. 50 and Joel Riggs, and a grand-daughter of Mrs. Eliza Inglis Moore, was born at Montgomery, Alabama, April 3, 1849. On April 12, 1871 she was married to Edward Pegram Galt, who was b. at Norfolk, Va., Oct. 5, 1847. His parents were Alexander and Mary *Raincock* Galt. They were both descended from early and distinguished families of Virginia. The Galt family is of Scotch origin, and the Raincock family of English. Alexr. Galt was in the drug business at Norfolk for many years and died there in 1855 at the age of sixty-three. E. P. Galt was educated at Norfolk until the commencement of the War between the States, which turned the current of his life. He entered the Confederate Army at the age of seventeen, in 1864, serving in the Harris Home hospital as an apothecary until the close of the war. After the War he resumed the drug business at Norfolk, remaining there until September, 1866, when he came to Selma, Ala., and clerked in a drug store until 1878, when he established himself in business. He has long been secretary to the Alabama State Board of Pharmacy. Mr. Galt is a member of the Episcopal Church and for many years has been secretary to the vestry.

ISSUE: (189) Gena Moore Galt, b. Feb. 7, 1872; d. July 12, 1884. (181) William Clark Galt, b. July 9, 1875, married Minnie Eggleston and has issue: i. Edward Pegram Galt, b. Nov. 14, 1901; ii. Wm. Eggleston Galt, b. May 5, 1904. (182) Edward P. Galt, b. Nov. 2, 1878, d. Apl. 1, 1889. (182a) Annie Riggs Galt, b. May 5, 1882, d. Dec. 8, 1882. (183) Junius Riggs Galt, b. Jan. 2, 1885, married Evelyn Sommerville Bibb, dau. of Martha Bibb Shepperd and Wm. Crawford Bibb, on April 17, 1911 and has issue: June Sommerville Galt, b. Aug. 3, 1912. (184) Mary Alexander Galt, b. March 5, 1888; d. May 19, 1909.

(126) Junius Moore Riggs, son of (50) Georgena *Moore* and Joel Riggs, and grandson of Mrs. Eliza Inglis Moore, was born at Montgomery, Alabama, Nov. 29, 1851. His paternal

grandparents are Zadock Riggs and wife Nancy Fleming, of North Carolina. Mr. Riggs received a common school education and since 1874 has been Marshal and Librarian of the Supreme Court of Alabama. He is a Past Grand Chancellor of the Knights of Pythias, Domain of Alabama, past dictator Knights of Honor and is a member of the National Union and Fraternal Union. He is a Democrat and a member of the Protestant Episcopal church. Mr. Riggs is compiler of the Catalogues of the Supreme Court Library and State Library. On April 11, 1888 he married Elizabeth Harris, dau. of John Templeton Green and wife Elizabeth Harris, of Vicksburg, Miss., the former being the son of Thos. M. Green, Jr. and Wife Mary Templeton. (Ala. Official and Statistical Reg. 1903). Mr. Riggs has served as Marshal and Librarian of the Ala. Sup. Ct. for thirty-nine consecutive years and his never-failing courtesy, promptness and cheerfulness in the discharge of his duties have made friends of all who have come in contact with him and he commands the respect and esteem of the entire Bar of Alabama. He is a gentleman of high character, generous, loyal and sincere in all the relations of life. No issue.

(127) Georgena Caroline Bird, eldest daughter of (51) Caroline Sophia Moore and Dr. Marshall Henry Bird, was b. Oct. 9, 1846, at Erie, Green Co. (now Hale) Alabama. At Montgomery, Alabama, on Dec. 20, 1866 she was married to Thomas Goode Jones, son of Samuel Goode and Martha W. Goode Jones, who was b. Nov. 26, 1844. Mrs. Thos. G. Jones has been a communicant of St. John's Episcopal Church since early girlhood and takes a deep and active interest in all that concerns the welfare of the parish. She is also a member of the Colonial Dames and the United Daughters of the Confederacy and for long years has taken an active and useful part in the labors of the Working Woman's Home of Montgomery, an institution founded and supported by the ladies of Montgomery for the aid of deserving women. The quotation below is from an article by Mrs. Marie Bankhead Owen in the Advertiser of Jan. 15, 1911: "Mrs. Thos. G. Jones, is one woman who is bitterly opposed to having her picture taken. For this reason there is no "counterfeit presentment" of this noble woman in this

galaxy of the "first ladies of Alabama." She has left a picture of her beautiful life and sweet, unselfish nature in the hearts of the thousands of people who know and love her. She is possessor of the universal mother-heart and feels that humanity is her brethren. If an old friend or the child of an old friend is in trouble or ill it's a wager that 'Miss Gena' is the first to be sent for. All Montgomery knows and all Montgomery loves her. While several of the governors have possessed large families the Jones family heads the procession with thirteen children."

ISSUE: (185) Marshall Bird Jones, b. Nov. 3, 1869, married Allie Stickney and died September, 1901 without issue. (186) Gena Moore Jones; (187) Thomas Goode Jones, Jr., b. June 6, 1873, d. Aug. 17, 1873; (188) Martha Goode Jones; (189) Carrie Bird Jones, b. Aug. 25, 1876, d. Aug. 5, 1901; (190) Madeleine Clitherall Jones, b. Aug. 23, 1878, d. Aug. 14, 1879; (191) Gordon Houston Jones; (192) Lucy Spottswood Jones; (193) Elizabeth Clitherall Jones, b. Aug. 15, 1883 d. May 5, 1885; (194) Thomas Goode Jones, Jr., b. June 9, 1885; (195) Samuel Goode Jones, b. at Montgomery, Ala., May 23, 1887, d. at Tucson, Ariz., Feb. 12, 1912; (196) Walter Burgwyn Jones; (197) Netta Sampson Jones, b. Nov. 18, 1889.

(129) Hattie Clitherall Hall, dau. of No. 55 and Dr. A. P. Hall, was b. March 10, 1866, and on July 11, 1887, she married Henry A. Horst, an esteemed citizen of Mobile, Ala. Mrs. Hattie H. Horst died Feb. 3, 1893.

ISSUE: (198) Henry Alexander Horst, Jr., b. May 8, 1888; (199) Hattie C. Hall Horst, b. May 13, 1890. Married June 12, 1912, to Jessie Dixon Wadsworth and has issue: Jessie Dixon Wadsworth, Jr., b. March 19, 1913.

(131) Richard Wilmer Jones, son of No. 65 and Marion Wilmer, was b. July 18, 1870. He married Fannie Murphree of Dothan, Alabama, and has issue as follows: (200) Minnie Wilmer Jones, b. at Pinckard, Ala., Jan. 16, 1900; (201) Clara Murphree Jones, b. at Dothan, Nov. 20, 1900; (202) Harvey Ellis Jones, Jr., b. at Bainbridge, Ga., April 23, 1905, and a son born Sept. 30, 1913.

(132) Madeleine Clitherall Jones, dau. of No. 65 and Marion

Wilmer, was b. Dec. 18, 1871. She married James Fontaine Maury and lives at Spring Hill, near Mobile, Alabama.

ISSUE: (203) Madeleine C. Maury, b. June 13, 1896; (204) James F. Maury, Jr., b. Dec. 4, 1897; (205) Marion Wilmer Maury, b. Jan. 19, 1900; (206) Harvey Jones Maury, b. 1902; (207) Richard Wilmer Maury, b. Oct. 13, 1903; (208) Franklin Hervey Maury, b. Dec. 14, 1905; (209) Lewis Huck Maury, b. Feb. 7, 1908; (210) Betty Maury, b. Feb. 28, 1912.

(133) Harvey Ellis Jones, Junior, son of No. 65 and Marion Wilmer, was b. March 20, 1874. He married Dec. 20, 1899, Eliza Hilton Howell, of New Orleans, La. No issue.

(134) George Hurxthal Jones, son of No. 65 and Marion Wilmer, was b. June 29, 1876. He married Madeleine Fauntleroy, his first cousin.

ISSUE: (211) Dorothy Burgwin Jones, b. June 21, 1905; (212) Geo. H. Jones, Jr., b. Aug. 2, 1907; (213) Phillip Fauntleroy Jones, b. Dec. 1911.

(135) William Fitzhugh Jones, son of No. 65 and Marion Wilmer, was b. May 26, 1878. He is Captain of 'Battery F.' 2nd Field Artillery, U. S. A. He married Miss Sarah Austill Brassfield, of Florence, Ala., and has issue: (214) Madeleine Wilmer Jones, b. at Ft. Caswell, N. C., Sept. 6, 1904.

(136) John Stewart Jones, son of No. 65 and Marion Wilmer, was b. June 7, 1884. He married Annie Bolling Tuttle, on Aug. 24, 1902, and has one child: (215) Annie Bolling Jones, b. April 17, 1903.

(150) Kate Ellsberry, eldest daughter of No. 77 and William Edward Ellsberry, was born at Montgomery, Ala., Jan. 16, 1879. On April 28, 1897 she married William Homer LeGrand, who was b. July 21, 1871, and is the son of Milton Paul LeGrand and his wife Louise Jones LeGrand.

ISSUE: (216) Milton Paul LeGrand, b. Sept. 5, 1898; (217) William Homer LeGrand, b. Oct. 16, 1901; (218) Eloise LeGrand, b. Nov. 22, 1903. (219) Arthur Ellsberry LeGrand, b. June 18, 1905, d. June 13, 1906.

(151) Bessie Ellsberry, dau. of No. 77 and W. E. Ellsberry, was. b. at Montgomery, Aug. 13, 1881. On Nov. 4, 1902 she married Dr. James E. Rushin.

ISSUE: (220) James Ellsberry Rushin, b. Nov. 4, 1902.

(152) Clitherall Ellsberry, son of No. 77 and W. E. Ellsberry, was b. Oct. 25, 1873, and died Oct. 10, 1901. On Oct. 22, 1898, he married Mary George, of Demopolis.

ISSUE: (221) Katherine Clitherall Ellsberry, b. Oct. 29, 1899.

(156) Alexander Clitherall Birch, son of No. 78, and George Anthony Birch, was b. at Opelika, Jan. 21, 1876. On Nov. 6, 1907, at Birmingham, Ala., he married George Weatherly, eldest daughter of Hon. James Weatherly and Florence Milner Weatherly, of Birmingham. Mrs. A. C. Birch was born at New Castle, Ala., Sept. 30, 1884.

ISSUE: (222) Florence Milner Birch, b. Sept. 2, 1910.

When Alex. C. Birch was five years old his parents removed to Montgomery and when he was twelve years of age he was appointed Executive Messenger by Gov. Thos. Seay and served under him for about six months and was re-appointed by Gov. Thos. G. Jones. He received a common school education, leaving the public schools when appointed Executive Messenger and attending night school during the four years of his service. He entered the University of Alabama in Sept. 1893 and graduated with honors, in June, 1896. While in College he stood high in his classes and took a prominent part in all of the debates of the literary society and was a Commencement Orator. After leaving the University of Alabama he attended Washington and Lee University, where he graduated with honors in the law class of 1907 and was again a commencement orator. He was admitted to the Bar of the Supreme Court of Alabama in January, 1898 and was associated in the practise of law for five years with the law firm of Thos. G. & Chas. P. Jones, one of the leading law firms of the State. When Thos. G. Jones was appointed U. S. Dist. Judge by President Roosevelt, Mr. Birch removed to Birmingham and practised law there. He was appointed United States Commissioner by Judge Jones and served in this capacity for two years when he resigned to accept the appointment by Judge Jones as Referee in Bankruptcy and he is now serving his fourth term in that office where the volume of business in the bankruptcy court is third in rank in the United States.

Mr. Birch is a Republican in politics and is a member of the county, district and State Executive Committees. He was a delegate from the State at Large to the Republican National Convention of 1912 and was a member of the famous credentials committee of that convention. He argued the Alabama Contest before the National Committee, representing the Taft delegates. His thorough familiarity with the law and facts and rules of the convention and his complete mastery of the contests made such a favorable impression that he was retained by the chief counsel of the Taft forces to assist in the handling of all contests before the committee. Mr. Birch's wife (Miss George Weatherly) is the eldest daughter of Hon. James Weatherly, one of the City Commissioners of Birmingham and one of the foremost lawyers in Alabama. Mrs. Weatherly is the youngest daughter of Col. Jno. T. Milner, who was associated with Samuel Goode Jones, a distinguished civil engineer and father of Judge Thos. G. Jones, in pioneer railroad building in Alabama. Col. Milner located the site for Birmingham, being at the time an engineer on the construction of the South & North Ala. R. R.

(157) Kate Clitherall Birch, dau. of No. 78, was b. at Montgomery, Dec. 5, 1884. On June 1, 1905 she was married to Dudley Lawrence, of Lawrence Park, N. Y.

ISSUE: (223) Dudley Bates Lawrence, b. Feb. 26, 1906; (224) Clitherall Birch, b. Jan. 24, 1910; (225) Katurah Van Duzer, b. March 18, 1912.

(179) Carrie Bird Tarver, dau. of No. 122, was b. Aug. 12, 1873. She married Walton W. Stewart (d. and has issue two girls: (226) Elva; (227) Walton.

(186) Gena Moore Jones, eldest daughter of No. 127 and Thos. G. Jones, was born at Montgomery, Nov. 26, 1871. She was married first at Montgomery on Jan. 24, 1894, to Charles Thomas Holt, who was born at Mt. Pleasant, Rockingham Co., N. C., Jan. 9, 1858, and died at Haw River, N. C., Dec. 13, 1900, and is buried in the family burying ground at Graham, N. C. Mr. Holt was the son of Thomas Michael, who was Governor of North Carolina in 1891, and his wife Louisa *Moore* Holt.

ISSUE: (223) Louisa Moore Holt, b. at Haw River, N. C., July 3, 1899; both her maternal and paternal grand-fathers were

Governors of Alabama and North Carolina respectively in 1891. Mrs. Gena Jones Holt married (2nd) the Rev. Horace Thornburgh Owen at Haw River, N. C., on October 22, 1902. Mr. Owen was born at Adrian, Mich., June 22, 1875 and is the son of the Reverend Oliver Owen and his wife Maria *Wilson* Owen. Rev. Horace T. Owen was assistant minister in Trinity Parish, N. J. and was Rector of St. Athanasius Church, Burlington, N. C. and is at present Rector of St. Paul's Church, Trenton, New Jersey: address 331 Center St., Trenton, N. J.

ISSUE: (224) Horace T. Owen, Jr., b. at Haw River, N. C. Oct. 9, 1903; (225) Thomas Jones Owen, b. at Trenton, N. J., Oct. 5, 1908..... (225a) Gena Moore Owen, b. at Trenton, N. J., March 3, 1910.

(188) Martha Goode Jones, daughter of No. 127 and Thos. G. Jones, was born at Montgomery, Aug. 10, 1875 and was married to Thomas Willis Cohoon at Montgomery, on Jan. 30, 1895. Mr. Cohoon was born at CEDAR VALE, (built by his great great great grandfather in 1742) Nansemond County, Va., March 11, 1864. He is the son of Willis Everett Cohoon, b. Jan. 4, 1824, and (son of John Cowper and Mary Louisa *Everett* Cohoon), died April 25, 1880, and his wife Martha Cornelia *Smith* Cohoon, who was b. Feb. 25, 1830 and died June 4, 1865. Mr. Cohoon is a nephew of the late Col. Thos. W. Smith of Suffolk, Va.

ISSUE: (227) Gena Cohoon, b. Dec. 14, 1895; (228) Thomas Jones Cohoon, b. Oct. 10, 1897; (229) Louise Cohoon, b. March 12, 1900, d. March 30, 1900; (230) Willis Everett Cohoon, b. Apl. 8, 1902; (231) Martha Goode Cohoon, b. at Suffolk, Va., July 29, 1913.

(191) Gordon Houston Jones, son of No. 127 and Thos. G. Jones, "was born at Montgomery, Ala., June 15, 1880, and died there July 30, 1911, after an illness extending over a year. He was initiated into Sigma Alpha Epsilon by Ala. Mu chapter, on Sept. 13, 1898, while a sophomore at the Alabama Polytechnic Institute, Auburn, Ala. At the time of his death young Jones held a responsible position in Kansas City. His kindness of heart, his loyalty and devotion to his friends, and his pleasing address drew about him a large circle of friends who mourn his



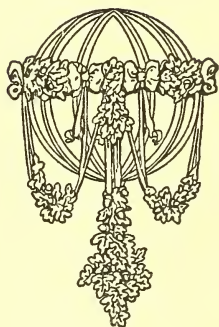
WALTER BURGWYN JONES
In 1907

untimely demise. No one could know Gordon Jones and fail to love him. His cheerful disposition, his generosity and charitableness for the frailties of others, and willingness to go to any inconvenience or sacrifice if thereby he might aid his friends attached those with whom he came in contact by a stronger bond of friendship than usually exists." (From the Record of Sigma Alpha Epsilon, Sept. 1911). He married Marion Louise Warford and died without issue.

(196) Walter⁷ Burgwyn Jones, youngest son of Thomas Goode Jones and his wife (127) Georgena Caroline Bird, was b. at Montgomery, Ala., Oct. 16, 1888. He was educated at the private school of Miss Gussie Woodruff and later attended the public schools of his native city. He entered the freshman class of the Alabama Polytechnic Institute and was there during the session of 1906-7. The next year, fall of 1907, he entered the law department of the University of Alabama, graduating May 26, 1909, with "Highest Honors" and was given the degree of Bachelor of Laws. The next day, May 27th, though less than twenty-one years of age, he was licensed by the Supreme Court of Alabama to practise as an attorney at law and solicitor in chancery in all the courts of Alabama, and on July 3, 1909 was admitted to practise in the United States District and Circuit Courts.

Walter B. Jones was initiated into Sigma Alpha Epsilon by Ala. Alpha Mu Chapter, Sept. 13, 1906 and the next year affiliated with Ala.-Mu Chapter and served as eminent archon of that chapter. While at the University he was vice-president of the Kent Law Club and was President of the Law Class of 1909. He is a Democrat and has always taken an interest in politics and was Asst. Secretary to the Montgomery County Anti-Amendment Committee in 1909. He is a lawyer and private secretary to the U. S. Dist. Judge for the N. & M. Dists. of Alabama, having held this position since May, 1911. Mr. Jones is a Knight of Pythias and Chancellor Commander of Central Lodge No. 9 and a member of the Dramatic Order Knights of Khorassan, and past Commander 1st Brigade, Ala. Div. S. C. V. He is also a member of the Country Club of Montgomery, and the

White Water Club, of Autauga Co. He is the compiler of the family history and genealogy of "John Burgwin, Carolinian and John Jones, Virginian." Address: 323 Adams Avenue, Montgomery, Alabama.



The Joneses

THE JONESES



THE name JONES is of Welsh origin and is in the possessive case, being derived from the Christian name JOHN. "The Welsh, until quite modern times, distinguished themselves from one another by employing the Welsh preposition "*ap*," which liberally rendered means *the son of*. Thus, if a Welshman named John had a son named Thomas, the son was called for distinction Thomas *ap* John. Or if it were desired to distinguish Thomas with great particularity, the name of another ancestor was added: as, if John's father were named Roger, they would call Thomas in that event Thomas *ap* John *ap* Roger, and so on *ad infinitum*. The Welsh had no other names until the English, by act of Parliament, compelled them to adopt their custom or surnames, when the Welsh, no doubt as a matter of sentiment, and naturally not wishing to make any departure from their accustomed names, simply adopted their father's Christian name for their surname. Thus, what before had been Thomas *ap* John, or Thomas the son of John, or Thomas John his son, became Thomas Johnhis, and by abbreviation in the course of time, Thomas John; or inserting an "e" for the sake of euphony, Thomas Johnes or Jones. And the fact that the name John was a favorite name with the Welsh will sufficiently account for the frequent recurrence of the name Jones among that people and elsewhere. The great warrior and crusader, Sir Hugh Johnys or Jones, derived his name in this way." (L. H. Jones' Family History).

The Reverend RICHARD¹ JONES, of Welsh extraction, married Lady Jeffries, of the Manor of Ley, and settled in Devonshire, Eng. He patented 1500 acres of land in Prince George County, near Merchant's Hope. (W. & M. Q. X:247). One of his sons Major PETER² JONES, married Margaret Wood, dau. of Major General Abraham Wood who "came to Virginia in 1620, as a little boy of ten years, in the *Margaret*

and *John*. commanded by Capt. Anthony Chester. This vessel had a great fight on the way over with two Spanish men-of-war, and beat them off. * * * Little Abraham escaped unhurt, and in 1625 was living at Jamestown in the employment of Capt. Samuel Mathews. He rose rapidly to public prominence, was a member of the House of Burgesses, a member of the Council, and in 1671, was a one of the four major generals commanding the military establishment of Virginia. In 1646 he was made Captain of Fort Henry, at the modern Petersburg, and in 1658 was colonel of the militia of Charles City and Henrico Counties. The land at Fort Henry, together with all the houses, boats and ammunition belonging thereto was granted to Capt. Wood on the condition that for three years he should keep up a garrison there for the defense of the colony. General Wood was public spirited and he sent various expeditions to explore the country westward. In 1680 he negotiated a treaty with the Indians which received the praise of the governor. He doubtless died soon after." (W. & M. Q., XIX:287).

Major PETER JONES², in 1676, was placed in command of 57 men from Elizabeth City, Warwick and James City counties. They were a part of the force used to repress Indian disturbances on the frontier. His son, Captain PETER³ JONES, was in 1722 a vestryman of Bristol (Va.) Parish and was captain of the Prince George County militia. His will was proved March 10, 1726. He married Mary ———, and had many children, among them, Major PETER⁴ JONES, from whom the town Petersburg, Va. derives its name. He opened a trading establishment there at an early day a few rods west of what is now the junction of Sycamore and Old Sts. The location was called Peter's Point and was subsequently changed to Petersburg. Major PETER⁴ JONES was an old friend and fellow traveller of Col. William Byrd, of Westover, and in 1733 accompanied the latter on a journey to Roanoke, on which occasion the plan of establishing Richmond and Petersburg was conceived. He was a vestryman of Bristol Parish, captain and then major of the Prince George Militia. He married Dorothy ———. His will was proved in Amelia, Dec. 24, 1754. (W. & M. Q., XIX:289; Va. Mag. of Hist. & Biog., VI:86).

JOHN⁵ JONES, Gentleman, (RICHARD¹, PETER², PETER³, PETER⁴) lived at "Level Grove," Brunswick County, Va. He married, July 22, 1758, Elizabeth Binns, dau. of Chas. Binns, whose mother was Elizabeth Ashton and a grandchild of Sir Chas. Ashton, of England. There was a tradition in his family, regarding his ancestry, that would indicate that he was a descendant of Frederick, the elder of the two sons of Capt. Roger Jones, a Cavalier, who came to Va., in 1680, with Lord Culpeper, and commanded a sloop which was stationed in Chesapeake Bay for the suppression of Piracy, and who, returning to London, died there in 1700. The tradition, however, does not seem well founded.

JOHN⁵ JONES was a member of the Virginia House of Burgesses before the Revolution from Brunswick during the years 1772-75. In 1779-80 he was a member of the Virginia Senate representing the counties of Brunswick, Lunenburg and Mcklenburg, serving as a member of the Committee on Privileges and Elections. He also served on this same committee at the session of 1785. From the Journals of the Virginia Senate, 1786, under date of Nov. 7th, it appears that "Mr. John Jones reminded the Senate of the necessity of proceeding to the election of a Speaker, and recommended Archibald Cary, Esq." Nov. 22, "Resolved, That John Jones, Esquire, be appointed Speaker of the House, during the indisposition of Archibald Cary, Esq." From the Journals of the Va. Senate, 1787: "Oct. 16th. Nicholas Cabell, Esquire, recommened John Jones, Esquire, who on a former occasion acted as Speaker, as a person in every respect qualified to fill the office again, and was seconded by Chas. Lind, Esq., * * * Mr. Jones being duly elected Speaker of the House was conducted to the Chair." From the Journal of the Va. Senate, 1788: "June 25th. Stephen Thompson Mason, Esq., reminded the House of the necessity of proceeding to the choice of a Speaker, and recommended John Jones, Esq., who on a former occasion with great ability and impartiality discharged the duties of this important office, and was seconded by Nicholas Cabell, Esq. Whereupon it was unanimously resolved that the said John Jones, Esq., be selected Speaker of the House." From the Journal of the Va. Senate, 1789: "Oct. 20. Ordered,

That writs issue to the Sheriffs of the counties comprising the district of Brunswick, Mecklenburg, Lunenburg, and Greenville to choose a senator, John Jones, Esq., having accepted the office of Clerk of Brunswick." At page 261 of Vol. II of the Calendar of Virginia State papers appears the following: "Col. John Jones to Gov. Nelson, Brunswick County, July 27th, 1781, informing him of a mesage from Gov. Burke of N. C., desiring him to co-operate with the militia of the county in defending the fords of the Dan and Stanton Rivers against the enemy. Also of orders from Col. Davies to send one fourth of the militia of the field at once, adds: "Col. Tarleton passed through our county last week on his return to Portsmouth, and disturbed the inhabitants greatly." It was on this occasion that Col. Jones, who was also known among his neighbors and friends as 'Jack Jones,' harassed Tarleton with his militia and Tarleton seeing how vigorous and active Col. Jones was in his movements exclaimed: "There is Jack Jones fighting like a hell-cat" and attempted to kill him. For many years after this Col. Jones was known only by the name of 'Hell Cat Jones.' On page 570 of the same volume appears the following: "Brunswick County, Oct. 30, 1781, Col. Jones most heartily congratulates the Governor on the late glorious victory at York. Under the late orders he has kept one fourth of the militia of the county constantly in the field but has lately heard that his excellency has since issued orders for their discharge, except 75. Not having received any instructions since the seige of York, he feels obliged to trouble his Excellency for information on the subject whether he is to send any more men."

Col. JOHN⁵ JONES' son, JOHN⁶ JONES, was b. March 30, 1764. Although very young when the Revolutionary War began he joined Gen. Green's command and was in the Battle of King's Mountain, Oct. 7, 1780, the Battle of Cowpens, Jan. 17, 1781 and Guilford C. H. March 15, 1781. On June 6, 1787 he was married to Lucy Binns Cargill. She was b. Dec. 18, 1768 and was the daughter of John Cargill and Lucy Binns his wife whom he married Aug. 31, 1766. Her father John Cargill was the son of John Cargill and his wife Elizabeth Harrison. This Elizabeth Harrison was a daughter of Nathaniel Harrison



THOMAS WILLIAMSON JONES, M. D.
1789-1824

and Mrs. Mary Young (nee Cary). The said Nathaniel Harrison was the son of Benjamin Harrison. He was Auditor General and a Member of the Council and was b. Aug. 8, 1677 dying Nov. 30, 1727. Nathaniel Harrison's father, Benjamin Harrison, of "Wakefield," Surry, was b. Sept. 20, 1645 and was a Member of the Council from 1699 and he died Jan. 30, 1712-3. (References: Keith's Ancestry of Benj. Harrison; Campbell's History of Va.) Lucy Binns was a sister of Elizth. Binns who married Col. JOHN⁵ JONES.

Dr. THOMAS⁷ WILLIAMSON JONES, b. June 25, 1789, was the son of Capt. JOHN⁶ JONES and his wife Lucy Binns Cargill. The Rev. John Cargill, of the Church of England was b. in Scotland but came to Va. in 1708, where he took charge of Southward Parish, Surry which he held until his death in 1732. His will proved in Surry, April 19, 1732 names his son John Cargill. The latter was a member of the House of Burgesses in 1742, and died not long before April 17, 1744, when his wife administered upon his estate. (Surry Records) His wife was Elizabeth Harrison, who, in her will proved in Surry, May 15, 1753, names her daughters Lucy and Elizabeth, and appoints her brothers, Nathaniel and Benjamin Harrison executors. Though she does not name her son, John Cargill, the third, she certainly left a son of that name, for the will of Nicholas Massenberg, who married her dau. Lucy, appoints Massenberg's wife, Lucy and his brother-in-law John Cargill, executors. John Cargill, the third, lived at "INVERMAY," Sussex County., and died Dec. 2, 1777 and in his will proved in Sussex, Dec. 18, 1777, names his third wife Anne, his daughter, Lucy Binns Cargill and others. By his second marriage with Lucy Binns, whom he married Aug. 31, 1766, he had a daughter Lucy Binns Cargill, b. Dec. 18, 1768.

Dr. THOS.⁷ W. JONES, though quite a young man, had already risen to eminence in his profession at the time he was killed near Mt. Pleasant Grove Church by being thrown from what in those days was called a 'gig.' His horse ran away and in the mad flight brought the vehicle in contact with a stump on one side of the road, which threw the occupant violently against one

on the opposite side, causing injuries which resulted in his death. on July 21, 1824. Dr. Jones' younger brother, Rev. John C. Jones, was the father of the late Richard Channing Jones, of Camdem, Wilcox Co., Ala. R. C. Jones was a gallant Confederate soldier, an eminent lawyer, a useful citizen, and was for seven years President of the University of Alabama. Another son of Rev. J. C. Jones, Virginius, was a gallant Confederate soldier who met his death at the Battle of the Wilderness. Another son was Dr. J. Paul Jones who rose to great eminence in his profession and was one of the most esteemed citizens of Wilcox Co., Ala.

On Feb. 17, 1814, Dr. THOMAS⁷ W. JONES was married to Mary Armistead Goode, (b. Feb. 17, 1795) dau. of Col. Samuel Goode, who was b. at WHITBY, Chesterfield Co., Va., March 21, 1756. Col. Goode was a Lieutenant in the Chesterfield Troop of Horse during the Revolution and later a colonel of Va. militia. He was also a member of the Va. House of Burgesses, 1779-83 and served in the 6th U. S. Congress, (Mar. 4, 1799, March 3, 1801) which held its sessions at Philadelphia. Col. Goode's father was Robert Goode, (b. July 19, 1711, d. March 6, 1765) a planter of the old school and a man of ample means, whose wife was Mary Turpin (b. Sept. 6, 1720, d. Oct. 29, 1770). The parents of Col. Samuel Goode's father were Robt. Goode (s. of Jno. and Martha Mackarness Goode) of WHITBY, who married in 1710, Elizabeth Curd, (d. Nov. 30, 1766). John Goode, great grand-father of Col. Samuel Goode, was a son of Richard Goode and was born at WHITBY, or Whitley, in the north of Cornwall, 1620-30. He came to Virginia prior to 1660 and settled on the colonial frontier four miles from Richmond, calling his home WHITBY and here he died in 1709. He has been described as "an old fox-hunting English esquire" and the story has been handed down that he was a Cavalier, whose loyalty to King Charles caused him to be driven from home a political exile.

On October 5, 1786, Col. Goode (father of the wife of Dr. Thos. W. Jones) married Mary Armistead Burwell, who died March 20, 1829. She was the daughter of Col. Lewis Burwell, of STONELAND, who was a son of Col. Armistead Burwell

and Christian Blair his wife. The said Christian Blair was the daughter of John Blair and Mary Monro his wife. Col. Armistead Burwell was the son of Lewis Burwell and Armistead, his wife. The said Lewis Burwell was the son of Lewis Burwell, of Carter's Creek, Gloucester, and 'King's Creek,' York. He was appointed to the Council in 1702 and died Dec. 19, 1710. He married secondly Martha Lear, dau. of Col. John Lear, of the Devonshire family of the name. As Capt. John Lear he was a Member of the Council in 1683 and died June 27, 1696. (See Colonial Virginia Register) John Blair, father of Christian Blair, was b. in Williamsburg, Va., in 1689 and died there Nov. 5, 1771. He was a member of the House of Burgesses as early as 1736, and was president of the Council. By virtue of his office he was acting Governor of Va. in 1757, 1758, and 1768. He was a nephew of old Commissary Blair, whom he succeeded in the Council. Gov. Blair married Mary Monro. (See Campbell's History of Va. pp. 553-4 and D. Appleton's American Biographies.) Col. Lewis Burwell, of STONELAND, was b. Sept. 26, 1745. He commanded a regiment during the Revolution and for fourteen years was a member of the Virginia Legislature. On March 24, 1768, he married Ann Spottswood. Col. Burwell died July 2, 1800 and is buried four miles from Chase City, Va. The large STONELAND mansion was destroyed by fire shortly afterwards and Henry Harrison Burwell, Col. Burwell's son by his second wife, and his wife, a bride of a few weeks whom he was trying to save both perished in the flames. Anne Spottswood, wife of Col. Burwell, was the dau. of John Spottswood and Mary Dandridge his wife. Mary Dandridge was a dau. of Capt. William Dandridge and Unity West his wife. The said Unity West was a daughter of Nathaniel West, who was a son of Unity Croshaw and husband, John West. This John West was the son of *John West* and Anne Knolleys. *John West*, bro. of Thos. West, 3rd Lord Delaware, was b. in Hampshire, Eng. Dec. 14, 1590. He was a Member of the Council from 1630 until his death about 1659 and was Governor of Virginia in 1735-37. He married Anne Knolleys and had one son, Col. John West, of WEST POINT, King William County, Va., who married Unity Croshaw. (See

William & Mary Quarterly, Vol. III, p. 66 and papers accepted by the Va. Soc. Colonial Dames of America.) John Spotswood was the son of Governor Alexander Spotswood, of Virginia and his wife Anne Butler Bryan (pronounced Brain), who was a daughter of Richard Bryan, Esq., of Westminster. She was an English Lady, whose Christian name was taken from James Butler, Duke of Ormond, her god-father. Gov. Spotswood was b. in 1676 at Tangier, then an English colony in Africa and his father, Robert Spotswood was physician to the Governor. Gov. Alexr. Spotswood's son John, married in 1745 Mary Dandridge, dau. of Wm. Dandridge of the British Navy, and their daughter Anne Spotswood married Col. Lewis Burwell, of STONELAND, Mecklenburg Co., Va. (See Hist. of Colony and Ancient Dominion of Va. by Chas. Campbell, pp. 378-9; 407-408 and Goode's Va. Cousins 62-3, 121-2).

Mrs. Thos. W. Jones was generally known as Mrs. "Polly Jones." She was a woman of strong character, great self-reliance and of a very high order of intelligence. The untimely death of her husband left her with four small children to care for. She devoted herself to teaching and became one of the most loved and prominent female educators of Va., being eminently successful in her work and earning a small fortune by her labors. She died May 22, 1871 at the home of her son-in-law Dr. Geo. Mason who married Lucy B. Jones, and lived at HOMESTEAD, Greenville Co., Va.

Dr. THOS.⁷ WILLIAMSON JONES' eldest son SAMUEL⁸ GOODE JONES was b. Sept. 20, 1815 at INVERMAY, the residence of his great grandfather Col. Samuel Goode in Mecklenburg County, Va. The following extracts from a letter of Samuel G. Jones, under date of May 4, 1885, a year before his death to his eldest son THOMAS⁹ GOODE JONES gives a good account of the former's early life. After stating in the letter that he (Samuel⁸) was educated at Old Ebenezer Academy in Brunswick Co., the letter says:

"Mr. Dwight (principal of Ebenezer Academy) induced several of his pupils to return North with him, myself amongst the rest. We completed our preparation for entering college at old

Hadley, Mass., beautifully situated in the bend of the Connecticut River and nearly midway between Northampton and Amherst where Amherst College was situated. The prevailing sentiment of Hadley was strongly in favor of Amherst College, only a few miles distant, but the love of alma mater on the part of Mr. Dwight, our former teacher, directed our steps to Williams College where I entered the freshman class in 1833 and graduated with one of the honors of my class in 1837. I mention *en passant* that while in Hadley I went to the same school with Joe Hooker, who, soon after entered the West Point Military Academy and was known during the late unpleasantness as 'fighting Joe Hooker.' After leaving college I went to Newark, Delaware, to complete my preparations for entering on the active duties of my chosen profession—civil engineering—under the instructions of Gen. Wm. N. Pendleton, then the professor of Mathematics in Newark College, Delaware, Major Walter Gwyn, then one of the very few prominent civil engineers in the country having promised me that if I would take a prescribed course in college and finish with Gen. Pendleton he would give me a position in his corps.

"I fulfilled all the conditions on my part, but when I was ready for work Mr. Gwyn did not have it in his power to offer me a situation and I got on my horse and rode over to North Carolina where Charles Fenton Mercer Garnett was filling the position of chief engineer on the Raleigh & Gaston R. R. and I applied to him for a place on his railroad but there was no vacancy and I returned home somewhat discouraged, but within a few days I was off to Richmond on horseback in prosecution of my determination to find work.

"On my way down I met Hon. R. K. Mead, who, on learning the object of my trip desired me to remain in Richmond until he returned, he was then a member of the Va. State Senate, and said he thought he could secure me a position on the James River & Kanawha Canal through his influence with Mr. Jos. Cabbell, then president of the Canal Co. I took his advice and upon his return secured a place on the canal which was then in operation a short distance above Richmond and in course of construction between ———— and Lynchburg. I was stationed

in Nelson Co., Va., and amongst my first responsibilities was the superintendence under the direction of Jos. Byers, Asst. Engineer, of the construction of a dam across the James River at the mouth of the Tye River. I had familiarized myself with the requirements of the contract and insisted that they should be carried out, but on account of my youth (that sounds strange now to one in his seventieth year) and inexperience, the contractors were loath to obey my directions, and feeling that a great deal depended upon the faithful execution of the work and unwilling to be made a cypher of, I complained to Mr. Chas. Ellitt, Chief Engineer, who, in reply to their plea of my youth and inexperience, said he liked my experience very much and in evidence of his appreciation of my services he recommended me at once to the Board of Directors for promotion. His recommendation was acted on favorably and my promotion, the second earliest that had been made in the large corps of fifty men, ordered. The date of my entry into the service of the Canal Co. was March, 1838. I remained with them until September, 1839 and then, on invitation of my hereditary friend, L. N. Whittle, at whose house you were born in November, 1844, I came South and accepted the position of Asst. Engineer on the Monroe Railroad, now known as the Macon & Western R. R., connecting Macon and Atlanta. The road was then in operation to Forsyth, 24 miles above Macon, and I was engaged on the extension between Forsyth and Atlanta, then called Marthasville. My first division was near Griffin, Ga., but I was subsequently moved to the upper end of the road and stationed at White Hall, now a suburb of Atlanta.

“Very soon after I came to Georgia, the Monroe Railroad & Banking Co. became very seriously embarrassed and coming from Virginia where I had never heard of a bank failure and full of zeal in sustaining the bank in its troubles, I put my little patrimony into the Bank and lost three-fourths of it, for the paper of the Bank was worth only 25 cents. on the dollar when I was able to withdraw my deposit. My effort to aid the Bank was about as sensible and futile as placing one’s finger or big toe under the drivers of a locomotive for the purpose of stopping its progress. I was at that time, you see, buying knowledge at

a high price. Our Chief Engineer Mr. Daniel Griffin having resigned and recommended me as his successor I was, in 1841, chosen Chief Engineer and although my salary was small I thought it, and the position I held, justified me in taking a wife, and I was married Nov. 8, 1842 to your mother at the Hot Springs, Va., our engagement having lasted over three years. I returned home at once only stopping long enough in lower Virginia to show my wife, of whom I was justly proud and whose superior I have never met, to my relatives and friends there.

“We settled first in Griffin, Ga., where David Clopton, Robert Lanier and myself, all newly married, lived together. We subsequently bought a double log cabin in Griffin, one end of which we used as our chamber, the other as a kitchen and the space was enclosed and made into a dining room. I daubed the outside with my own hands, and your mother’s good taste arranged the interior so neatly and comfortable that to this day I have never had a home more to my satisfaction. While living at Griffin I put on a stage line between that place and Franklin, Ala., to connect the Central & Monroe R. R. with the Montgomery and West Point, now the Western Railroad of Alabama. It was a losing venture and in order to settle the loss I had to sell my little home in Griffin. Collecting the money I placed it in the hands of a road agent named Bramin, who, instead of applying it to the payment of my debts, decamped with my money to parts unknown, and I have never, from that day to this, heard anything of him. I was consequently obliged to part with my stage line, the Central R. R. & Banking Co. generously dividing the loss with me, on the ground that the line was started chiefly in their interests and they felt unwilling that the whole loss should fall on me. My own road, the Monroe R. R., now the Macon & Western, would have paid her proportion, but the company was then insolvent and unable to pay me the amount due for services as engineer.

“It was about these times that you were born at the house of our special friend, L. N. Whittle and wife, in Vineville, Ga., a suburb of Macon, Ga. Our families had been friends in Virginia and our friendship had strengthened with increasing years.

The kind and considerate attention showed by Mrs. Whittle supplied the place of those usually shown by tender mothers to daughters under the trying circumstances of a first confinement and I shall ever remember with sentiments of the liveliest gratitude the delicate kindness of the Whittles and need not, I know, enjoin on you payment in any manner in which you can this debt of gratitude. Your own generous heart would prompt the act. When you were able to bear the trip we moved to a little place on the railroad then called Leekville, about half way between Griffin and Atlanta, but now Jonesboro, the name having been changed as a compliment to myself. (Knight's "Ga. Landmarks, Memorials and Legends" I:450). At that time I was engaged in rebuilding the road between Macon and Atlanta, the old Monroe R. R. having been sold out under a decree of the courts, and when it was completed to Atlanta I moved there on the promise of being made agent and the prospect of being able to settle down with my little family. Capt. Dan. Tyler, then president of the railroad, forgot his promise and gave the agency at Atlanta to someone else and I, soon after, was engaged as Principal Asst. Engineer of Mr. Daniel Griffin and engaged in making a survey and location of a railroad between Columbus, Ga., and Burnsville, a station on the Macon & Western Railroad forty miles above Macon—a road that never was, but ought to have been built.

"It was soon after our removal to Atlanta that your sister Mary was born, so that my two oldest children are Georgians. In the spring of '48 I was employed by Chas. F. M. Garnett, then Chief Engineer of the Nashville & Chattanooga R. R. as assistant engineer. I went to Tennessee in May, conducting a survey from Nashville to Shelbyville and from Shelbyville back to Murfreesboro and locating the main line of the N. & C. from the Barren Fork of the Duck to the foot of the Cumberland mountains. It was while engaged in this location that I was invited back to Georgia, by Major Jack Howard, of Columbus, Ga., who had succeeded Jno. G. Winter as President of the Muscogee Railroad. As the salary offered me was larger by \$800.00 than I was receiving in Tennessee and the position higher, I accepted Major Howard's offer and returned to Geor-

gia, assuming the duties of chief engineer of the Muscogee in the fall of 1848. I left Tennessee reluctantly. The climate, soil and people all delighted me and I had resolved to make Murfreesboro my permanent home when I was induced, for the reasons above given, to return to Georgia, making Columbus headquarters. Your mother, who spent the summer of 1848 at the Hot Springs, joined me late in the fall. We spent the winter in Columbus, but in the Spring of 1849 removed to Summerville, situated on the sand hills on the Alabama side of the river three or four miles above the city, the move being made on account of the health of your sister, with whom the damp atmosphere of the falls disagreed. In the Spring of 1849 I was offered the position of Engineer on the Montgomery and West Point R. R. by Col. Pollard, then president, but Major Howard declining to give me up, a compromise was made and it was arranged that my time should be divided between the Muscogee and the Mtgy. & W. P. which was then done to Opelika. The next year Mr. Pollard said he would prefer giving me an increased salary and having my whole time, and as the Muscogee was well under way, I consented to go to Montgomery and moved there with my family in April 1850."

SAMUEL⁸ GOODE JONES' wife, who was also his first cousin, was the eldest daughter of Dr. Thomas Goode, of Hot Springs, Bath Co., Va., and was named Martha Ward Goode. Dr. Goode was b. 1780-90 and died in 1858. On January 31, 1816 he married Mary Ann Knox. Martha W. Goode, who was b. Jan. 17, 1821, was of the ninth generation from Pocahontas—the line being as follows:

I. Pocahontas, daughter of the mighty Powhatan (d. 1618), married Master John Rolfe, in the Church at Jamestown in April, 1613, and died at Gravesend, Eng., March 21, 1616, leaving an only son

II. Thomas Rolfe, b. 1615, who as Lieut. Rolfe commanded Ft. James on the Chicahominey. He married Jane Poythress (Poyers) and left an only daughter

III. Jane Rolfe, b. 1655-6 d. 1676. She married in 1675 Colonel Robert Bolling, b. Dec. 20, 1646, d. July 17, 1709. He was a vestry-man of old Blandford Church and his home was

called 'Kippax' or Farmingdale. He was a son of John and Mary Bolling of the Bollings of 'Bolling Hall,' near Bradford, Yorkshire, Eng. Their only son

IV. Major John Bolling, b. Jan. 27, 1676 married Mary Kennon and died Apl. 20, 1729. Their sixth child and daughter

V. Ann Bolling, b. 1718 married in 1746 James Murray, a native of Scotland and a church-warden and vestryman of Bristol (Va.) Parish. Their daughter

VI. Mary Murray, b. Feb. 22, 1754; d. 1823, married (first) Alexander Gordon, of Petersburg, Va., and a native of Scotland. Their daughter

VII. Peggy Gordon married (first) William Knox, of Philadelphia, who d. in 1809 at Petersburg and their daughter

VIII. Mary Ann Knox, wife of Dr. Thos. Goode, was the mother of Martha Ward Goode, wife of Samuel Goode Jones.

"Mrs. Martha Ward Jones was exceeding beautiful in person, and of strong, but nicely balanced and judiciously educated intellectual faculties; she was also endowed with such loving and lovely affections and qualities of heart, that up to the hour when she left her father's house as a married woman, she had been from a child a source of joy and happiness unalloyed by a single wilful act of disobedience or the development of a single unlovely characteristic. Sensitively shrinking from observation and notoriety and indiscriminate social intercourse, she sought and had, comparatively, few intimate friends; but to those few, of like refinement and congenial tastes, she revealed, in every relation of life, an harmonious assemblage and combination of natural attractions and Christian graces, which was as beautiful as it is rare, and they will remember her as a model of all that constitutes female loveliness." (Church Intelligencer.)

Mrs. Jones was a mother of eight children, and those surviving early childhood are: (a) Thomas Goode; q. v. (b) Mary Virginia, born at Atlanta, Ga., Apl. 6, 1847; married William Gesner, a skilled chemist and geologist who died at Birmingham, Ala., in 1887; (c) Lucy Spottswood, b. at Montgomery, Aug. 3, 1851; married Francis Henry Armstrong, Nov. 24, 1869. She died at Sewanee, Feb. 4, 1879, leaving issue: (i) Samuel J. Armstrong, b. Oct. 18, 1870 who married Mattie Register of



MARTHA WARD (GOODE) JONES

Tenn. They have two children Francis Henry and Mabel; (ii) Martha Ward Armstrong, b. Jan. 16, 1872, unmarried; (iii) Mary Coleman Armstrong, b. Oct. 19, 1874; married Robert Ewing, of Birmingham, Ala., and has one son Robt. Ewing, Jr.; (iv) Aurora Elmore Armstrong, b. Jan. 24, 1878, unmarried; (d) Edwin Francis, q. v.; (e) Carter, born at Montgomery, March 19, 1855, m. Louellen Calloway on Nov. 18, 1905. No issue. (f) Charles Pollard, q. v.

Samuel G. Jones first lived (in Montgomery) on the SE corner of Columbus and Lawrence Sts., but in 1852 he moved to the home on the corner of Perry and Columbus Sts. and here he lived until his removal in 1867 to Yongsboro, Lee County, Ala. In 1877 he removed to Sewanee, Tenn. for the two-fold purpose of educating the children of his second marriage and on account of his impaired health to obtain the benefit of the salubrious mountain climate.

Mr. Jones was one of the pioneer railroad builders of the South and a civil engineer of distinguished attainments. He surveyed the Nashville & Chattanooga R. R. in Tennessee; the Montgomery & West Point R. R., becoming its superintendent later; the Savannah & Memphis R. R., of which he became president in 1867. In 1856 he was chief engineer of the Alabama & Florida and was also chief engineer of the Western Railroad from Montgomery to Selma. While President of the S. & M. railroad he resigned because he declined to swear, as the directors of the road desired to conform to the State Aid Laws, that the first twenty miles of the road had been built from its own resources and not with funds derived from the sale of bonds of the road. Later he became connected with this road again as chief engineer, but when pressed by the directors not to give the exact facts known to him in an investigation then pending he again resigned, altho the salary, his fortune having been shattered by the War, was a matter of great moment to him.

“Suffice it to say he never brought
His conscience to the public mart.
But lived himself the truth he taught,
White-souled, clean-handed, pure of heart.”

For many years railroad connection with the Gulf and Mobile and the opening up of the vast country south of Montgomery with the "wealth of a kingdom locked in its virgin fastnesses" was a topic of interest, but the first steps in that direction of a practical nature were not taken until 1853. The big brain and quick perception of Samuel G. Jones saw the stupendous possibilities of the opportunity and with marvellous energy he travelled over a great section of the country talking railroads and development until finally he imbued with some of his own enthusiasm men with sufficient capital to make the railroad of his dreams a reality. A meeting of the stock-holders of the new road—The Alabama & Florida—was held and Mr. Jones was elected Chief Engineer. In the early part of 1858 the work of construction began and before the end of 1862 Mr. Jones had his road through to a connection with Pensacola, one hundred and twenty miles from Montgomery. This road proved a veritable Godsend to the Confederate forces operating in that section of the country and was especially helpful to the Confederate navy yard at Pensacola in the transportation of supplies.

About this time Mr. Jones became interested in a projected road to tap the rich section of country lying between Montgomery and Selma. He also made a success of this road and before 1866 the road was completed to Selma. The great wealth which later poured in upon the merchants of Montgomery all sprang from the little roads started by Col. Chas. T. Pollard in 1854 and Mr. Jones in 1857. Among the many eminent railroad men who began their careers under Mr. Jones may be mentioned the late Samuel Spencer, President of the Southern Railroad.

Samuel G. Jones was one of the pioneers in the industrial development of central Alabama. He was the chief organizer of the Chewalca Lime Works, one of the incorporators of the Montgomery & Talladega Sulphur Mines which were opened just before the Civil War and which the Confederate Government afterwards utilized in the manufacture of sulphur and he was largely interested in the Muscogee Lumber Co.

Mr. Jones was deeply religious by birth and inclination and was a devoted and genuinely consistent member of the Episcopal Church, giving lavishly of his time and means towards its sup-

port. The first church service held by the Episcopalians of Atlanta was held in his home and was the beginning of the present St. Luke's Parish. The Rev. W. C. Whittaker, in his History of the Protestant Episcopal Church in Alabama, 1763-1891, referring to some of the splendid personalities among the laymen of the Church in Alabama, during the ministrations of Bishops Cobbs and Wilmer, says: "Yet six men must be named, in passing, to ignore whom were to ignore six of the strongest pillars of the Diocese" and thus refers to Mr. Jones: "Samuel G. Jones, a foundation stone of Hamner Hall and of the original church of the Holy Comforter." He was ardent in his efforts to organize and support the University of the South, at Sewanee, Tenn., and was one of the principal laymen who aided in establishing it. He was the chief donor of the fourteen acres of land and building for Hamner Hall and a liberal contributor for Bishop Cobb's Home for Orphan Children. He also gave generously to the building of St. John's Church at Montgomery and was one of her vestrymen from 1852-62, when he gave the church building on Perry Street, opposite the present First Baptist Church to the parish of the Holy Comforter, which was established to give a parish to his friend Rev. Jackson Scott, who had left Pensacola when that place was occupied by the Union soldiers. Mr. Jones used to say that, looking backwards, his donations to hospitals, churches and schools were the greatest savings he ever made, and he was thankful that the War could not depreciate or destroy the investment. The petition in the litany of the Episcopal Church for the "fatherless children and widows and all who are desolate and oppressed" impressed him deeply and it was his constant endeavor to make his life and conduct square with this prayer. Sympathetic and tender hearted in his nature, the sorrows and distresses of others moved him deeply and his purse was ever open to the needy and quick to relieve the suffering. He was very modest and retiring in his disposition with an humbler estimate of his worth than his merit would well warrant.

In politics he was an old line Whig, becoming a Democrat upon the disbandment of the former party. He always voted

and never neglected his civic duties. He represented Lee County in the lower house of the Alabama Legislature 1872-4 and was greatly respected for his ability, industry and fairness.

Though not a Secessionist, he thought secession justifiable and essential to the honor of his state and he became ardent in his support of the Confederate government and gave generously of his time and means to the cause. At one time the greater part of his residence was converted into a hospital for wounded Confederates.

No man ever dealt more kindly with his slaves. He never sold one of his own and oftentimes, at the instance of husbands and wives, he would buy slaves to prevent a separation. His slaves worshipped him and seemed never more content than when performing some service for him. On one occasion a slave (Sarah Ann) whom he had carried North with him as a nurse, ran away and Mr. Jones had to return home without her. Afterwards he received a pitiful appeal from her for aid in getting back to him and his family. And Mr. Jones sent her the money to return.

Mrs. Jones died at Montgomery on Aug. 2, 1861 and on the sixteenth of October, the year following, Mr. Jones married Aurora Serena Elmore, dau. of Benjamin T. and Sarah A. (Brevard) Elmore. Mrs. Jones' mother was a daughter of Joseph Brevard, the celebrated statesman, lawyer, soldier and jurist of South Carolina and a brother of Judge Brevard was the author of the famous Mecklenburg Declaration. She was a woman of beautiful character, esteemed and loved by all for the purity and sincerity of her life. Mrs. Jones died at Montgomery, June 14, 1912, and is buried beside Mr. Jones at Sewanee, Tenn.

Mr. Jones was the father of seven children by his second marriage, all of whom were boys, the eldest dying in infancy. Those still living are: 1. Samuel Goode, b. at Montgomery, Nov. 19, 1865. He is a major in the United States Army. Married Mrs. Lucy Clayton Gilbert, dau. of Gen. Powell Clayton, at Ft. Reno, I. T. May 22, 1893. 2. Joseph Brevard, b. at Montgomery, Feb. 10, 1867, and graduated at the University of the South,

Sewanee, Tenn. with the degree of Master of Arts in 1888. He is a lawyer and for a great number of years has held the responsible position of Tax Agent for the L. & N. R. R. He is a vestryman of the Church of the Holy Comforter; married on Dec. 10, 1912, Annie May, dau. of Joseph W. and Annie (Savage) Dimmick. 3. Jackson Scott, b. at Yongesboro, Ala., July 14, 1868. 4. George Mason, b. at Yongesboro, July 17, 1870. 5. Franklin Elmore, b. at Yongesboro, July 18, 1872. He resides in San Juan, P. R. where he is engaged in stenographic work and stock raising. 6. Edward Elmore, b. at Yongesboro, Dec. 18, 1873.

While at Sewanee Mr. Jones served four years as Treasurer of the University of the South and also engaged in coal mining. Later, with Gen. Kirby Smith and others he organized a Summer Resort Hotel Co. and was engaged in the management of the hotel property at the time of his death.

Mr. Jones, was a brother of John Ravenscroft Jones, of Lawrenceville, Brunswick County, Va., who was b. Aug. 21, 1818 and married Dec. 11, 1839, Mary J., dau. of Col. William & Margaret W. Rice. John R. Jones' maternal grandmother was a sister of the first wife of Bishop Ravenscroft. After graduating from Williams (Mass.) College he became assistant to the principal of Brunswick Academy. Later, abandoning teaching, he took up agriculture and was one of the most prominent figures in the agricultural councils of the State. He was a leading citizen of his county, a member of the old court of magistrates, superintendent of the poor, and superintendent of schools. Mr. Jones was not only a man of great intelligence, but of the highest character and most incorruptible integrity. He was a man of decided and positive convictions, and at all times and on all occasions had the courage to assert and defend them regardless of popular clamor. He was a devoted member of the Episcopal Church and in all that pertained to its welfare he took an active and conspicuous part.

Mr. Jones was killed in the 83rd year of his age while trying to subdue an infuriated bull. He has a son, Ravenscroft Jones, and many descendants living at Edgerton, Va. Another brother was Edwin Burwell Jones, of Nottoway Co., Va., an

honored and esteemed physician who later became an Episcopal clergyman.

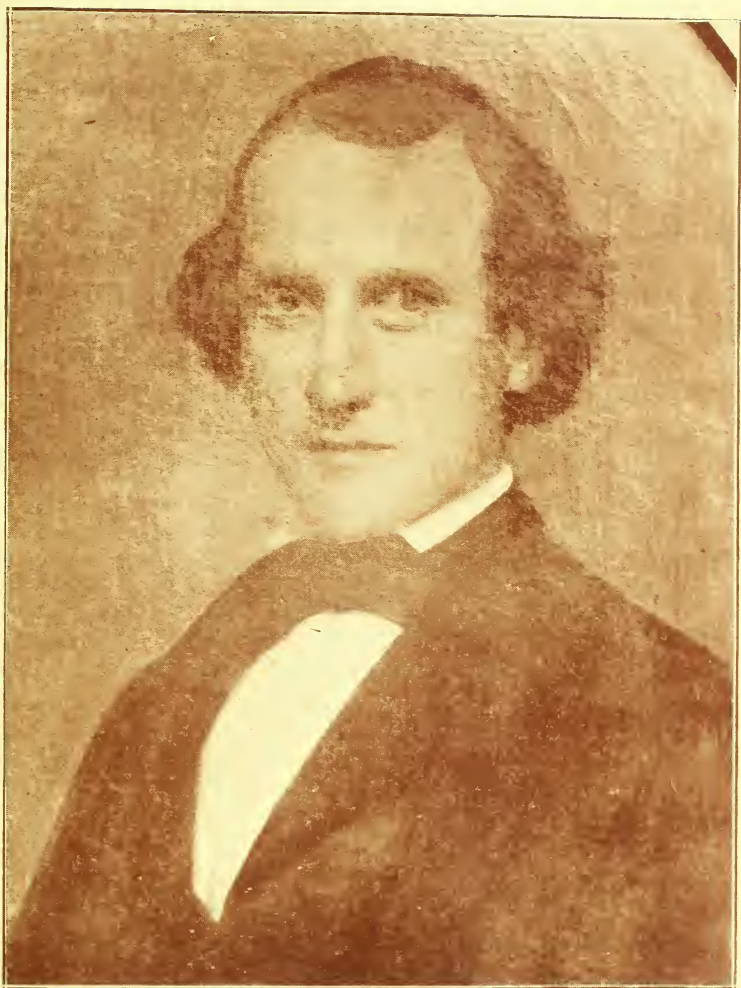
Friends and neighbors having pressed Samuel G. Jones to become a candidate for the General Assembly of Tennessee, he entered the canvass. During the political campaign which followed he was accused by his opponents, who knew of his great wealth in times gone by, of sympathy with the higher classes and indifference to the poor and their efforts to help themselves up. Refuting this charge, in what proved to be his last address to his friends and neighbors, at Winchester, Tenn. on October 4th, 1886, he narrated his early struggles, his success in middle age, and the disasters which came upon him from the War and said: "I am in favor of raising the lower classes to a level with the higher, by education and kindly sympathy, rather than by bringing all to the lower level and while it is true that I favor levelling society when I begin I want to level men *up*—not *down*." This noble sentiment which he ever exemplified in his life was the last that passed his lips. A moment later the silver chord was loosed—the golden bowl broken:

"God's finger touched him and he slept."

His funeral was held from the University Chapel at Sewanee and was largely attended by all classes; the rich and the poor, the high and the low, and all deeply mourned the passing of this splendid Christian gentleman.

"Again a prince has fallen in the fight—
The val'rous champion of the truth and right;
Determined, honest, level-headed, just,
Who broke no promise nor betrayed a trust!
His genial face with courtly kindness beamed—
By friends beloved, by all mankind esteemed.
Peace to his manly soul and sweetest rest
With that glad throng whom love of God has blest!"

THOMAS⁹ GOODE JONES, 28th Governor of Alabama, Confederate soldier and United States District Judge, is the oldest son of Samuel⁸ Goode and Martha W. *Goode* Jones and was born



SAMUEL GOODE JONES

at Vineville (now a suburb of Macon, Ga.) in the house of his father's intimate friend, L. N. Whittle, on November 26, 1844.

In 1850 he removed with his parents to Montgomery, Alabama, where he has resided continuously ever since. After a course in the private school of Henry Hotz, and Metcher and McWhorter and in the school of Dr. Chas. Minor, near Charlottesville, Va., and Dr. Gesner Harrison's, in the fall of 1860 he entered the Virginia Military Institute where "Stonewall" Jackson was then a professor. The Civil War being assured in 1861, Gov. Letcher ordered the cadets to Richmond where young Jones served as a drill-master of recruits for the Confederate Army. He returned to the Institute in January 1862 and was given a diploma as an honorary graduate. This same year he joined General Jackson's army and took part in the movement against Banks.

At the end of the campaign he enlisted in an organization which later became Co. K., Capt. A. C. Felder, 53 Alabama Partisan Rangers, Col. M. W. Hannon, and was appointed first sergeant. While serving with the 53rd Alabama, Gov. Thos. H. Watts, then Attorney General of the Confederacy, brought his merits to the attention of Gen. John B. Gordon, enclosing with his letter a recommendation which "Stonewall" Jackson, who had been young Jones' professor at the V. M. I. had given him, and Gen. Gordon on Jan. 2, 1863 appointed him 1st Lieutenant and A. D. C. Serving on the staff of that officer he participated in all the great operations of the Army of Northern Virginia after the Battle of Fredricksburg. He was wounded at the Battles of Spottsylvania C. H., 2nd Kernstown, Hare's Hill and at Thompson's Station where for a time he commanded a battalion and though wounded refused to quit the field. (Whetstone's History of 53rd Ala. Regt., Montgomery Advertiser.) He was commended for conspicuous gallantry at the battles of Cedar Creek and Bristoe's Station and promoted to Major, and at the Battle of Hare's Hill received the personal thanks of Robert E. Lee for volunteering to carry orders, in the face of a terrible fire from the enemy, for the withdrawal of the Confederate forces from Ft. Steadman. The following in-

cident is related of Major Jones by Gen. John B. Gordon in his "Reminiscences of the Civil War," at pp. 112-3: "After the battle of Sharpsburg, there was sent to me as an aid on my staff a very young soldier, a mere stripling. He was at that awkward, gawky age through which all boys seem to pass. He bore a letter, however, from the Hon. Thos. H. Watts, who was the Attorney General of the Confederate States, and who assured me that this lad had, in him all the essentials of a true sildier. It was not long before I found that Mr. Watts had not mistaken the mettle of his young friend, Thomas G. Jones. Late one evening, near sunset, I directed Jones to carry a message for me to Gen. Lee or to any immediate superior. The route was through pine thickets and dim roads or paths not easily followed, The Union pickets were posted at certain points in these woods; but Jones felt that he could go through safely. Alone on horseback he started on his hazardous ride. Darkness overtook him before he had emerged from the pine thicket, and he rode into a body of Union pickets supposing them to be Confederates. There were six men, on that post. They seized the bridle of Jones's horse, levelled their rifles at him, and commanded him to dismount. As there was no alternative, one can imagine that Jones was not slow in obeying the order. His captors were evidently new recruits, for they neglected to deprive him of the six-shooter at his belt. Jones even then had in him the oratorical power which afterward won for him distinction at the bar and helped to make him governor of the great State of Alabama. He soon engaged his captors in the liveliest conversation, telling them anecdotes and deeply enlisting their interest in his stories. The night was cold, and before daylight, Jones proposed to the 'boys' that they should make a fire as there was no reason for shivering in the cold with plenty of pine sticks around them. The suggestion was at once accepted, and Jones began to gather sticks. The men, unwilling for him to do all the work, laid down their guns and began to share in their labor. Jones saw his opportunity, and burning with mortification at his failure to carry through my message, he leaped to the pile of guns, drew his revolver, and said to the men: 'I can kill every

one of you before you can get to me. Fall into line. I will put a bullet through the first man who moves toward me!’ He delivered those six prisoners at my headquarters.” At page 277 speaking of the fight at Spottsylvania, Gen. Gordon says: “When the daring charge of the North Carolina brigade had temporarily checked that portion of the Federal forces struck by it, and while my brigades in the rear were being placed in position. I rode with Thomas G. Jones, the youngest member of my staff, into the intervening woods, in order, if possible, to locate Hancock more definitely. Sitting on my horse near the line of the North Carolina brigade, I was endeavoring to get a view of the Union lines, through the woods and the gradually lifting mists. It was impossible, however, to see those lines; but, as stated, the direction from which they sent their bullets soon informed us that they were still moving and had already gone beyond our right. One of those bullets passed through my coat from side to side, just grazing my back. Jones, who was close to me, and sitting on his horse in not a very erect posture, anxiously inquired: ‘General, didn’t that ball hit you?’

“‘No,’ I said, ‘but suppose my back had been in a bow like yours? Don’t you see that the bullet would have gone straight through my spine? Sit up or you will be killed.’

“The sudden jerk with which he straightened himself, and the duration of the impression made, showed that this ocular demonstration of the necessity for a soldier to sit upright on his horse had been more effective than all the ordinary lessons that could have been given. It is but simple justice to say of this immature boy that even then his courage, his coolness in the presence of danger, and his strong moral and mental characteristics gave promise of his brilliant future.” And at page 352, Gen. Gordon says: “Thomas G. Jones, since Governor of Alabama and now judge of the United States Court, was then (Cedar Creek, Oct. 1864) an aide on my staff, and sat on his horse at my side when Gen. Early announced that we had had ‘glory enough for one day.’ Boy soldier as he was then, he felt and expressed serious forebodings of the disaster which was to follow in the wake of our great victory.” In relating the capture

of Fort Steadman, Gen. Gordon tells the following incident at page 412 of his *Reminiscences*: "When the retreat to our works had ended, a report reached me that an entire Confederate Regiment had not received the order to withdraw, and was still standing in the Union Breastworks, bravely fighting. It was necessary to send them orders or leave them to their fate. I called my staff around me, and explained the situation and the extreme danger that the officer would encounter in carrying that order. I stated to them the pain I experienced in sending one of them on so perilous a mission was greater than I could express. Every one of them quickly volunteered to go; but Thomas G. Jones, of Alabama insisted that as he was the youngest and had no special responsibilities, it should fall to his lot to incur the danger. I bade him goodbye with earnest prayers that God would protect him, and without an apparent tremor he rode away. A portion of the trip was through a literal furnace of fire, but he passed through it, both going and returning, without a scratch." The friendship thus formed between Gen. Gordon and Major Jones grew stronger and more affectionate as the years passed by and was only severed by the death of the former on Jan. 9, 1904. Judge Jones attended the funeral of his former chief and was one of those who delivered an address at the Memorial Exercises in the Ga. State Capitol on the day of Gen. Gordon's funeral and at the Confederate Reunion at Nashville, by appointment of Gen. Stephen D. Lee commanding the Confederate Veterans, Judge Jones delivered the Memorial address and drafted the resolutions which were later adopted by the Veterans.

Brevet Major-General Joshua L. Chamberlain, in a paper on 'APPOMATOX' read Oct. 7, 1903, before the Commandery of the State of New York, Military Order of the Loyal Legion of the United States (G. P. Putnam's Sons, 1907) at page 167 tells, in the following beautiful language of the arrival of Major Jones at his line with a flag of truce on that memorable morning in April, 1865: "Suddenly rose to sight another form, close in our own front,—a soldierly figure, handsomely dressed and mounted,—a Confederate staff-officer undoubtedly, to whom some of my advance line seemed to be pointing my position. Now I



THOMAS GOODE JONES

In 1862 as Lieut. and A. D. C. to Brig. Gen. John B. Gordon

see the white flag earnestly borne, and its possible purport sweeps before my inner vision like a wraith of morning mist. He steadily comes on,—the mysterious form in gray, my mood so whimsically sensitive that I could even smile at the material of the flag,—wondering where in either army was found a towel, and one so white. But it bore a mighty message,—that simple emblem of homely service, wafted hitherward above the dark and crimsoned streams that can never wash themselves away.

“The messenger draws near, dismounts; with graceful salutation and hardly suppressed emotion delivers his message: ‘Sir, I am from General Gordon. Gen. Lee desires a cessation of hostilities until he can hear from General Grant as to the proposed surrender.’

“What word is this! so long so dearly fought for, so feverishly dreamed, but ever snatched away, held hidden and aloof; now smiting the senses with dizzy flash! ‘Surrender’ We had no rumor of this from the messages that had been passing between Grant and Lee, for now these two days, behind us. ‘Surrender?’ It takes a moment to gather one’s speech. ‘Sir,’ I answer, ‘that matter exceeds my authority. I will send to my superior. General Lee is right. He can do no more.’ All this with a forced calmness, covering a tumult of heart and brain. I bid him wait awhile, and the message goes up to my corps commander, General Griffin, leaving me amazed at the boding change.”

Major Jones married on Dec. 20, 1866, Georgena Caroline Bird, of Montgomery, Ala., dau. of Dr. Marshall Henry and Caroline *Moore* Bird. Mrs. Jones was born at Erie, Greene Co., (now Hale) Alabama, on October 9, 1846, and on her maternal side is descended from the noted Moore family of South Carolina, two of whose members were governors of S. C., and another Jas. Moore, great great grandfather of Mrs. Jones was a brigadier general in the American Army during the Revolution. Mrs. Jones’ maternal grandmother, Eliza I. *Clitherall* Moore, was the dau. of Dr. Geo. Campbell Clitherall, Surgeon U. S. A. and his wife Caroline Burgwin, only daughter of John Burgwin, of Wilmington, N. C., Clerk of the Colonial Assembly

of N. C., opulent merchant and one of the foremost citizens of the Province of North Carolina.

After the War, Major Jones returned to Montgomery and entered upon the business of planting (1866-69) which resulted disastrously to him. During his leisure moments when the army was in winter quarters and while planting he had studied law and was one of Chief Justice A. J. Walker's class at Montgomery and on Jan. 9, 1868, he was admitted to the bar and in April of that year formed a partnership with Hal. T. Walker. From June to November, 1868, he was editor of the Daily Picayune, severing his connection with it when his editorial duties began to conflict with his growing law practise.

"The first meeting to organize the Democracy of Alabama," says Gen. Jas. T. Holtzclaw, "in opposition to the reconstruction acts was held in the office of Stone, Clopton & Clanton in 1867. A county committee of ten was selected, and Thomas G. Jones was one of that committee and throughout the trying times that followed for the next seven years, he was always ready to fight or work, speak or write for the Democracy. When the fight was practically over, and our party thoroughly organized and victorious, he retired with LeGrand and others to let the county have representation since the original committee was entirely from the city beats." Thos. G. Jones took a prominent part in the events of those exciting days and one occasion, during an election, when the City of Montgomery had been fired in several places and it seemed that bloodshed and riot would follow, the Republican sheriff of Montgomery County turned the supervision of the election and the preservation of order over to the Democrats and Major Jones was made chief deputy sheriff. Order was promptly restored and the election passed off quietly.

In 1870, the Republican judges of the Supreme Court of Alabama, desiring to smooth the intercourse between the bench and the bar, and to make a graceful offering to the Democratic bar, upon its recommendation and nomination appointed Major Jones Reporter of their decisions. In March of that year he began his duties and while serving reported sixteen volumes of decisions. When the Democratic judges returned to the bench in 1875, though there were many applicants for the position of

Reporter, Major Jones was retained. Some of the extremists of his party desired his removal because he had accepted the position—a non-partisan one—under the Republican judges. He remained in the office for ten years, when, to the regret of bench and bar, he resigned to devote his whole time to his profession in which he had achieved great success.

Major Jones achieved a national reputation as an orator by his Memorial Address delivered at Oakwood Cemetery, Montgomery, on Confederate Memorial Day, April 26, 1874. This address was delivered in the presence of a purely Southern audience and with no expectation of its ever reaching Northern ears. The speech was full of dignity, and firm in the vindication of the Southern cause, and was a profound appeal to the better intelligence of the country. One paragraph of that speech was copied in nearly every paper in the United States, and coming from the Cradle of the Confederacy, did much to check the tide of vindictiveness which was then rampant in many sections of the country. The paragraph was as follows: "And while we ponder thus, the mind carries us northward where the tombs—*not of our dead*, are whiter than the sands of the sea, and more numerous than the stars in the heavens. In them lie men of the same race as ourselves—who spoke the same language and worshipped the same God. Fond mothers sent them to battle, and tender tears and agonizing prayers watched their pathway. *They* followed a flag that was as dear to them as was to us the star-crossed banner that has long since taken its flight to greet the warrior's soul, and he that worthily speaks for the dead or the living, must say, that no feeling of hate to the Northern dead or those who mourn them, pervades this Memorial day. 'One touch of pity makes the world kin.' From scenes like this, where the warring sections mourn their dead, let the statesman draw inspiration to guide the living."

This oration was commented upon in all parts of the United States, by the press and individuals. A few years after, the Union Veterans assembled at Marietta, O., presented Major Jones with a handsome gold medal as a token of their appreciation of his manly words. In accepting the present he declared that it had little personal significance "and although the sol-

dier's hand has tendered me this beautiful gift, that hand is reached out to Alabama; this generous greeting is not to me—it is the voice of Ohio speaking to Alabama." Major Jones was also the recipient of another gift. A grief-stricken widow of the North, describing herself as "A Northern Woman, Widowed and Bereft of Her Sons by the War," sent him out of the little she had, a handsomely engraved silver cup "as a token of her appreciation of the Soldierly Words spoken in Kindness of the Northern Dead." In acknowledging its receipt by a letter to the jewelers who sent the cup, Major Jones wrote: "The valued testimonial ('from a lady who does not desire her name mentioned') sent by you through the Ladies' Memorial Association of this city, has been received.

"The words to which the lady so kindly alludes, it is true, were uttered by my lips on Memorial Day, but the thought welled up spontaneously from every true heart which that day mourned the warriors who wore the gray. I gratefully accept the beautiful gift as a tribute to the sentiment, rather than any mere compliment to myself.

"No holier plea for peace and reconciliation could rise to heaven or touch the hearts of men than the sight of a mother 'widowed and bereft of her sons' sweetly communing in the sorrows of those who were foes to her dead. Nor could there be more delicate and tender token of sympathy than where the heart-prompting Christian consolation hides the gentle hand which tenders it.

"The reflection that my words, mere echoes of every honest Southern soldier's feelings, should have fallen like a balm on the wounded spirit of a Northern mother, bereaved by our arms, has filled me with a sense of intense gratification—a gratification which could not be heightened by any honors I could win.

"God permitted the storm to lash about us, and none of either section who followed cherished convictions into battle can regret it; but we may do much to assuage the bitterness of the past. Nothing would give more joy to the soldiers of the South than to heal all the wounds of that unhappy struggle."

In 1875, Major Jones represented the Fourth Ward in the

City Council of Montgomery, being one of the leaders selected for the task of redeeming Montgomery from the rule of the "carpet baggers and reconstructionists." "The city was in debt, without credit, and staggering under many difficulties and the successful conduct of its government presented most of the problems arising in the larger affairs of the State. He took a laborious and prominent part in shaping and executing the various policies and measures which finally rescued the city from many of its difficulties, and aided in restoring its credit and property. The city is indebted to him for much wise legislation improving its police, perfecting its quarantine system, equalizing and lessening the burdens of taxation and improving its condition." (Southern Agriculturist.)

Col. Jones was twice elected a member of the Legislature, each time receiving overwhelming majorities, and on Nov. 10, 1886, was unanimously elected Speaker of the House, receiving at the close of his term "the profoundest thanks of the House for the able and efficient manner in which he has presided over our deliberations and for the uniformly courteous and gentlemanly bearing extended to each member, and we will carry to our homes the kindest feelings and sentiments of appreciation of his manly and dignified conduct." While in the House Col. Jones wrote and secured the passage of a riot act which has been copied by eleven States and is still in force. He also took an active part in securing an appropriation for the erection of a monument to the Confederate Dead on Capitol Hill and his speech in the House on Feb. 12, 1887, had much to do with the passage of the appropriation act. Twenty years later he delivered the address at the unveiling of the monument.

In 1897, during the Yellow Fever Epidemic, when thousands of citizens left the city, he remained with his people and was elected Chairman of the Citizens' Relief Committee, which was organized to assist the needy and the hundreds who were thrown out of work and were unable to leave the city.

In May, 1890, the Democrats of Alabama, in the most exciting convention held since the war, nominated him for Governor of Alabama. There were five candidates for the nomination—the strongest being R. F. Kolb, head of the Farmers' Alliance

movement. All of the other candidates were opposed to Kolb who at no time had a majority of the votes in the convention, although he had a plurality. Under the rules of the convention a majority of votes was necessary to a choice and a conference of the friends of the other aspirants was held to pick the man who should make the fight against Kolb and the Alliance. The personal equation figured largely as did the views of the candidates upon the St. Louis and Ocala platforms. Thos. G. Jones had been more outspoken upon the stump and each candidate preferred Jones' nomination to that of any one but himself. The conference decided that Col. Jones was the man demanded by the exigencies of the occasion. He had made his campaign boldly. He had fought with all his ability and strength the innovation that proposed to have the Democratic Party controlled by "a secret oath-bound organization,"—a wheel within a wheel. The conservatives centered upon him and he won the fight. Capt. Kolb's name was withdrawn and Col. Jones unanimously declared the nominee and was triumphantly elected Governor in August, 1890. On Dec. 1, 1890, he took the oath of office and entered upon the discharge of his duties. He was the first Governor of Alabama to send a message to the Legislature urging action that would curb the free pass evil and he worked hard for the passage of a bill embodying his ideas. "It failed—not for lack of his own personal interest, but because it was in advance of public sentiment." As Governor he succeeded in raising the tax rate in order to meet the public debts, combatted the movement in behalf of repudiation, favored a reform in prison management and a scheme for the gradual removal of the State convicts from mines. He stumped the State in opposition to the Sub-Treasury, fiat money, and Land Loan Bill. He was firm in the suppression of lawlessness and frequently used the military to prevent mobs from lynching prisoners—no matter what crime was charged against them, and on the other hand, freely used the pardoning power in favor of the weak and humble who, in the passions of the times, were frequently dealt with harshly for small offenses. In May, 1894, he took personal charge of the troops and put down without bloodshed the Coal Miner's Strike in the Birmingham District

and later in July of that same year the Debs Strike. Col. Jones was re-nominated by the Democrats and re-elected Governor in 1892 over R. F. Kolb, the populist nominee, and served until December, 1894.

The following editorial from the Shelby Sentinel is a fair specimen of the editorials which appeared in the press of Alabama upon Gov. Jones' retirement: "No abler hand has ever held the helm of State of our proud commonwealth than that of Thos. G. Jones. No pilot heretofore has ever been called upon to steer our ship of State through stormier waters. No braver leader has ever rallied to his bugle call the true sons of Alabama. No cooler head, or warmer heart, nor steadier arm has ever battled for Alabama's welfare. She has had many noble sons to fill her executive chair, but among them all there was none more nobler than he. Many gallant sons have illustrated Alabama valor, both in the forum and in the field, in peace and war, but none ever illustrated it more courageously than he. To his strong hand, brave heart, cool judgment, indomitable courage, sterling integrity and unflinching patriotism are the people of Alabama indebted for the safe conduct of their craft during the last four years between the raging waters of Charybdis and the threatening rocks of Scylla. Well has he illustrated in his gubernatorial course that grand idea of Gen. Lee that duty is not only the sublimest word in the language, but the sublimest action of which man is capable. * * * He is again plain Tom Jones, but he has left an impression on the State that will last while courage is commended and devotion to duty is honored by the Anglo-Saxon race."

Gov. Jones has always insisted that a well regulated militia is essential to the security of a free state, and soon after the War aided in organizing a company for home protection which was chartered as the "Governor's Guard" and in 1874 Gov. Houston appointed him a member of his military staff. In 1876 he resigned to accept the Captaincy of the Montgomery Greys, to which he had been unanimously elected and which was one of the most famous military organizations in the South. He commanded this company for three years, resigning its captaincy in 1880 to accept an unanimous election as Colonel of the 2nd

Regiment, Alabama State Troops, and in 1883 he was re-elected. On Oct. 13, 1886, Col. Jones tendered Gov. O'Neal his resignation. The Governor accepted it, but with the proviso that it should not take effect until the close of his term. In accepting the resignation Gov. O'Neal said:

"Your retirement from this position is viewed by me with great regret. My reliance upon your faithful and intelligent performance of duty has never been in vain. At all times, and more than once upon occasions of great difficulty and doubt, occasions calling for the exercise of the greatest skill and patience, you have executed orders and carried out the policies of this administration with wisdom, moderation and courage. Your soldierly bearing and conduct have imbued the Alabama State Troops with military spirit and ardour. In your resignation the State sustains a loss most difficult to supply."

The following February, acceding to the earnest solicitation of officers and men, he again accepted an unanimous election to the colonelcy, remaining with the regiment until his nomination for Governor. In him the State troops found a hard worker and one who sought in every way to increase their efficiency. Col. Jones was a firm, but kind disciplinarian, insisting on work rather than display. He taught that discipline, guard duty, police and care for the comfort and health of the men were the objects for which officers should strive. During Col. Jones' long service with the State Troops he was invariably sent in command of the troops to aid in the enforcement of the law by Governors Houston, Cobb, O'Neal and Seay. Gov. O'Neal in his published orders after the Posey riot said: "Col. Jones, the commanding officer, was charged with a grave responsibility and large discretion under circumstances of the greatest difficulty, and to his courage, temper, prudence and skill is mainly due the repressing of a dangerous revolt against the laws and dignity of the State." Gov. Seay, referring to his services during the Hawe's riots, said: "He deserved and received the gratitude of the State."

Col. Jones' former commander, General John B. Gordon, in recommending him to President McKinley for appointment as Brigadier General of Volunteers during the Spanish-American

War, wrote that "the State of Alabama could not furnish one more worthy of the Government's confidence, nor whose characteristics, mental and moral, more eminently fit him for the high command which is sought for him."

Gov. Jones has always been a Democrat and loyal and uncompromising in support of that party. In 1896, believing that the Chicago platform was an assault upon the best institutions of his country, he worked and voted for Palmer and Buckner. He was president of the State Sound Money Convention and a delegate to the Indianapolis Convention.

Gov. Jones early became a member of the Alabama State Bar Association, and at its Mobile meeting in 1881 read a report for the Committee on Judicial Administration and Remedial Procedure, in which report he recommended the appointment of a committee to consider the matter of a legal code of ethics, and at the meeting in 1882 he was appointed Chairman of the Committee on Code of Ethics. In 1887, a Code of Ethics of which Gov. Jones was the author, was adopted by the Ala. Bar Association. Twenty years afterward, the American Bar Association did him the honor of requesting him to be a member of its committee on Code of Professional Ethics, though he was not then a member of the Association. In 1901 he was unanimously elected President of the Alabama State Bar Association. The Alabama Code of Ethics written by Col. Jones, and the first of its kind in England or America, was made the foundations for the canons adopted by the American Bar Association. The Alabama Code, with slight modifications, has also been adopted in eleven other States of the Union.

In 1901 Gov. Jones was elected a delegate from the 2nd Congressional District to the Alabama Constitutional Convention and was appointed Chairman to the Committee on Executive Department. During the Convention he advocated a provision giving the Governor power to remove any sheriff who failed to do his duty in defending a prisoner against mob violence. Tho this did not pass he secured a provision giving the Supreme Court power to impeach sheriffs. In advocating his provision,

Gov. Jones said in part: "Let us be frank with ourselves. Every time a citizen rises up and appeals for law, some man says a negro has committed an unmentionable crime and, therefore, the sacredness of all law must be cast to the winds. * * * People in Alabama who have not taken the trouble to keep pace with events, will be startled to be told that in the last ten years, over one hundred citizens in Alabama have been taken by mobs from sheriffs and jails and murdered. Yet such is the case. Such is our bloody record and yet two-thirds of those people were not guilty of a crime which I will not mention because of fair listeners in the galleries * * * Why is it of all men on earth, who are trusted with the keeping of others, that a standard of honor must be made for officers of the law different from all others, and that he should take no risk? Mr. President, the minister of the gospel who would fail to visit the veriest stranger, much less one of his own congregation, who is stricken with deadly disease, because of personal fear, would be outlawed and scourged for all time. We see locomotive engineers every day standing by the throttle and risking their lives to save their passengers. We have seen captains of ships standing on the bridge, that the women and children might be saved, and going down to death in the waters. What policeman would be allowed to wear his uniform five minutes if he refused to make an arrest at the risk of loss of his life? What man would have respect for the Alabama State Troops, no matter what the odds, if they allowed a mob to take a prisoner from them? Such a standard as is claimed for sheriffs has no recognition in any laws of honor. It is a false standard of duty and, if I may be pardoned for saying it, a cowardly standard of duty. * * * Let us not deceive ourselves. Two-thirds of the executions of prisoners by mobs are due to one or two things—either the cowardice of the sheriff, and I don't think there have been many cases of cowardice—or to a willingness for the mob to succeed, from the false conviction that a sheriff in fighting them is not fighting for the law but for some worthless prisoner. In county after county everybody but the Grand Jury knows who did the deed. Case after case of this sort happened and continue to happen and nobody is ever brought



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to the bar of justice. There is no prosecution. No strong voice ever condemns it. We owe it to ourselves, we owe it to our children we owe it to our God, to put a stop to this base indifference to murder and making excuses for men who will not risk anything for the preservation of human life and the honor of the State. * * * If the gentleman asks me if I am unwilling to trust the people of the county, I tell him frankly yes, because the people of the county never find out who commits these crimes. We don't wish the mob and its friends to murder the law. Nobody knows who constituted the mob when the authorities investigate. Yet it is known to everybody else but the officers of the law and the Grand Jury. * * * Every citizen in Alabama is interested. All our civilization is based on the idea that no man can "be deprived of life, liberty or property without due process of law." Without its enforcement there can be no civilization—no government worthy of the name. * * * As Southern men let us ask ourselves, have we stopped mobs at rape? Is not the thirst of mob violence for blood as great in many lesser crimes? Are not our courts open? Is justice administered by our judges or juries? How many of these continued outbreaks and assaults upon officers and jails been punished? We know and the world knows. Does it behoove us to pause and consider? To devise some remedy? To strike some blow for the sanctity of human life and the honor of our State? * * * Mob executions are brutalizing our children, blunting our religion, and undermining our civilization. Can anyone in the sound of my voice rise up and say that this is not so? We are undermining all noble ideals of duty and manhood. When we surrender to any local public opinion which dominates in some places, that a sheriff is not bound to take any risks, even to loss of life or limb in defense of a prisoner, we abdicate all our past and bow down and worship false and base standards of duty. Why should not the sheriff die at his post as well as the locomotive engineer, or the priest, or the doctor, or the soldier? We are setting a baleful example to our young sons, who are coming up among us, if we teach that when a prisoner is given to an officer, that officer is free to desert his post of duty be-

cause there may be danger in it. It is not like Alabama or the South to tolerate such a cowardly doctrine."

As a member of the Convention he heartily favored placing in the Constitution a self-executing provision against free passes, a provision which would itself and without action by the legislature, prevent the use of free passes by state officials and members of the legislature. This provision was finally embodied in the Constitution. He also favored increasing the governor's term to four years and favored biennial sessions of the legislature. He took a prominent part in all the counsels of the convention and incorporated in the Constitution several new provisions, among them, an article for ascertaining the disability of the governor while exercising the office and defining what measure of use of stimulants or narcotics should constitute an impeachable offense, and also to allow the governor to suggest amendments to bills instead of vetoing them from the beginning and also to provide for the assembling of the legislature at any time when not in session to impeach the governor.

On October 7, 1901, Gov. Jones was appointed by President Theodore Roosevelt to the office of United States District Judge for the Northern and Middle Districts of Alabama, which office he now holds. Gov. Jones' name was first suggested to President Roosevelt by Ex-president Grover Cleveland, and when it became known that the President was considering his name, Senators Morgan and Pettus, Gen. Stewart L. Woodford, ex-Minister to Spain, Justice John M. Harlan, Gen. John B. Gordon, and Booker Washington, the great negro educator, heartily urged the appointment. Gov. Jones was not an applicant for the appointment and did not know that it was contemplated until a close personal friend of the President enquired whether he would accept the appointment if tendered. This was President Roosevelt's first appointment of consequence and was widely favorably commented upon both in the United States and in England. The appointment met with universal approval and the President was showered with congratulatory telegrams from all over the State. The Alabama Congressional Delegation, leading Republicans, the Governor of Alabama, Ex-Secretary

of Navy, Hilary A. Herbert, the entire bar of the State, State judges and officials were delighted with the selection and the press of the State and Nation, without exception, praised it. The *Charleston Post* remarked editorially that "President Roosevelt has probably interpreted the will of the people as closely as if he had submitted the choice to a plebiscite" and the *Norfolk Landmark* said: "When Roosevelt appointed Judge Jones to that federal judgeship in Alabama he showed himself to be a real president."

Judge Jones attracted the attention of the Nation in 1904 when he charged a United States Grand Jury at Huntsville, Alabama, that under the XIII. and XIV. Amendments to the Constitution of the United States and the Federal Statutes passed in pursuance thereof, the Federal Government had authority to punish the lynching of a negro charged with the commission of a crime when in custody under the state law and that such a lynching itself was a conspiracy, under the provisions of the U. S. Statutes, to deprive the prisoner of a right, privilege or immunity guaranteed by the Constitution to enjoy due process of law. In this view of the law he was sustained by many of the ablest lawyers and some of the leading legal magazines of the country. No doubt a decision from the Supreme Court upholding the right of the Federal Government to punish lynchers of prisoners, in the custody of State officers, would have been of incalculable benefit to the country. However, since Judge Jones' ruling the Supreme Court has held that the Federal Government has no power to punish lynchers who defeat the enjoyment of *due process* when the state is endeavoring to afford it.

Judge Jones took a firm stand against peonage and it was due to his uncompromising attitude and the infliction of punishment upon the intentional violators of the law that this great evil has largely been stamped out. Since he has been on the bench Judge Jones has written about sixty opinions which are published in the volumes of the Federal Reporter subsequent to volume 111. Among his most noted opinions are: *Ex parte McLeod*, 120 Fed. 130, a contempt case. Senator John M. Thurston, of Neb-

raska, delivering the closing argument in the Impeachment Case of Judge Chas. Swayne incorporated the entire opinion in his remarks in support of one of his contentions, saying: "I present the opinion of District Judge Jones, a judge whose great legal ability and attainments are known to every Senator in this body from that whole section of the country. It is the clearest, the most exhaustive, the most convincing exposition of the law upon this subject that I have ever seen or read." In re Tune, a bankruptcy case, 115 Fed. 906; Charge to Grand Jury in Peonage Cases, 123 Fed. 671; Citizens L. H. & Co. vs. Montgomery L. & W. P. Co., 171 Fed. 553, and his opinions in the various rate cases which came before him in 1907 and the years following. Judge Jones was presiding in these rate cases when the then Governor of Alabama attempted to bring the State into a condition of lawlessness and anarchy by counselling disobedience to the orders of the United States Court and threatening to use the military against the court. Only the Judge's firm stand and announced purpose to enforce the orders of his court regardless of cost or consequence, and the official announcement of the authorities at Washington that every resource of the Government would back the United States Court, saved the State from many of the evils of a civil war.

Thos. G. Jones is a trustee of the Bishop's Fund of the Protestant Episcopal Diocese of Alabama, a trustee of Hamner Hall School and a member of St. John's Episcopal Church and Inspector General of the United Confederate Veterans.

CHARLES⁹ POLLARD JONES, youngest son of Samuel⁸ Goode and Martha W. *Goode* Jones, was b. at Montgomery, Alabama, June 13, 1858. He was educated in a private school at Hick's Ford, Va., was a student at the Agricultural & Mechanical College of Alabama and later attended the University of the South at Sewanee, Tenn. Upon his return to Montgomery he studied law in the office of his brother, Thomas Goode Jones, later Governor of Alabama, and was admitted to the bar in 1881. In 1882 he entered the Law Department of the Louisville & Nashville Railroad, having charge of their tax matters in Alabama and Florida. This position he held until appointed,

Dec. 1, 1890, Assistant District Attorney of the L. & N. R. R. Co. Col. Jones was a member of the Montgomery Greys, one of the most famous military companies in the South and was made 1st Lieutenant of the company on Jan. 3, 1883 and became Captain March 1, 1888, holding the office until appointed Adjutant General of the Alabama State Troops, May 6, 1889, by Governor Thos. Seay. He was retained in this office by his brother, Thos. G. Jones, governor of Alabama, 1890-94, resigning in January, 1895 on account of pressure of his professional matters. Col. Jones was also Division Counsel for the Central of Georgia Railway Co., and was a member of the law firm of Thos. G. & Chas. P. Jones until the senior member of the firm was appointed U. S. Judge by President Roosevelt in 1901. On February 10, 1891, Col. Jones was united in marriage to Elizabeth M. Murphy of New Orleans and had issue: Laura Goode Jones and Chas. Pollard Jones both of whom are now living with their mother at No. 514 S. McDonough St., Montgomery, Alabama. Col. Jones took an active interest in politics and for many years served as Chairman of the Central Council of the Montgomery Democracy. He was also a Mason and a Knight of Pythias.

For some time prior to his death Col. Jones and his family had been living in the West on account of his health and it was at Colorado Springs, Col., that Death found him on the morning of November 6th, 1907. His body was brought to Montgomery and was met at the Union Station by the Retired Corps of the Montgomery Greys who accompanied it as an escort to the residence of Judge Thos. G. Jones. The funeral was held from St. John's Church, of which Col. Jones had been a member, on November 9th, all of the military companies of the city accompanying the body to Oakwood Cemetery where interment was made, after which taps were sounded and a volley fired over the new made grave.

The following tribute to the life and services of Col. Jones appeared in the editorial column of the *Montgomery Journal* on Nov. 8th.

"Col. Jones was a typical Southerner, big hearted, generous to a fault, brave and courageous and gentle as a woman in his

dealings with his fellow man. He was widely known and because of his gentleness, his undaunted courage, his sterling integrity, his self-sacrificing disposition, his loyalty and fidelity to his friends, his unswerving adherence to what he believed right, and his high character, none knew him but to love him. He was the soul of honor, the truest type of Southern Chivalry and Southern manhood. He was a man of conviction, but tolerant of those who differed with him, always conceding to others what he claimed for himself—honesty of purpose. His heart went out in sympathy to those in distress and no one in need of help ever appealed to him in vain. * * *

“With the passing of Col. Jones, the Alabama Bar Association loses one of its ablest members, the State a valuable citizen, and his family a devoted husband and father. Though he died over a thousand miles from his native State, it is well that his ashes shall rest beneath the sod of Alabama. The name and memory of Chas. P. Jones will ever live in the hearts of those who knew and loved him.”

EDWIN⁹ FRANCIS JONES, third son of Samuel⁸ Goode and Martha W. *Goode* Jones, was born at Montgomery, Dec. 21, 1853. He was educated at the East Alabama Conference College (now A. P. I. at Auburn) and the Virginia Military Institute. He was admitted to the bar July 31st, 1876 and was assistant United States Attorney for the Middle District of Alabama in 1896 and in 1902 served as a Special Judge for the Fifth Alabama Circuit and in 1906 he was assistant United States Attorney for the Territory of Arizona. On April 8, 1880, he married Bertha Hansford Stubbs, only daughter of Isham Baytop Stubbs and Mary A. C. Stubbs of Montgomery and has issue as follows: 1. Samuel Baytop Jones, b. at Montgomery, Feb. 26, 1884 and 2. Mary Virginia Jones, b. at Montgomery, Feb. 26, 1888. She was married at Tucson, Ariz., on Aug. 9, 1911, to Albert Montgomery and has one son, born Dec. 23, 1912 at Tucson, and named Edwin Jones Montgomery. For a good many years past Mr. Jones and his family have made their home in Tucson, Ariz., where Mr. Jones is engaged in the practise of his profession.

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